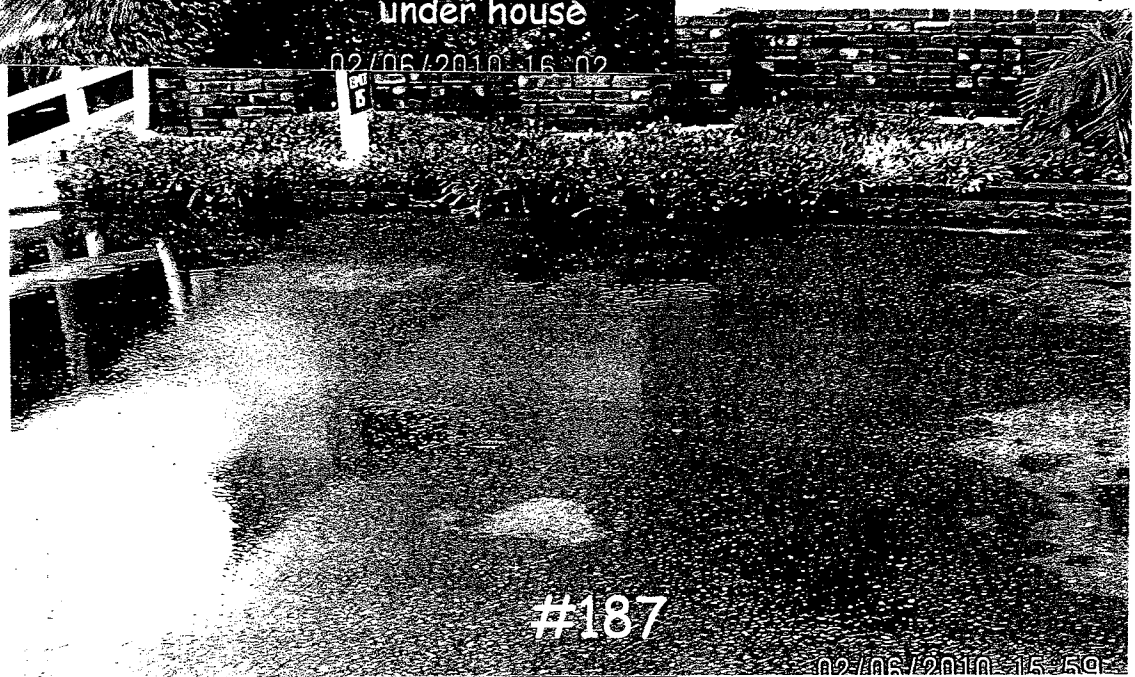


#185--water from
under house

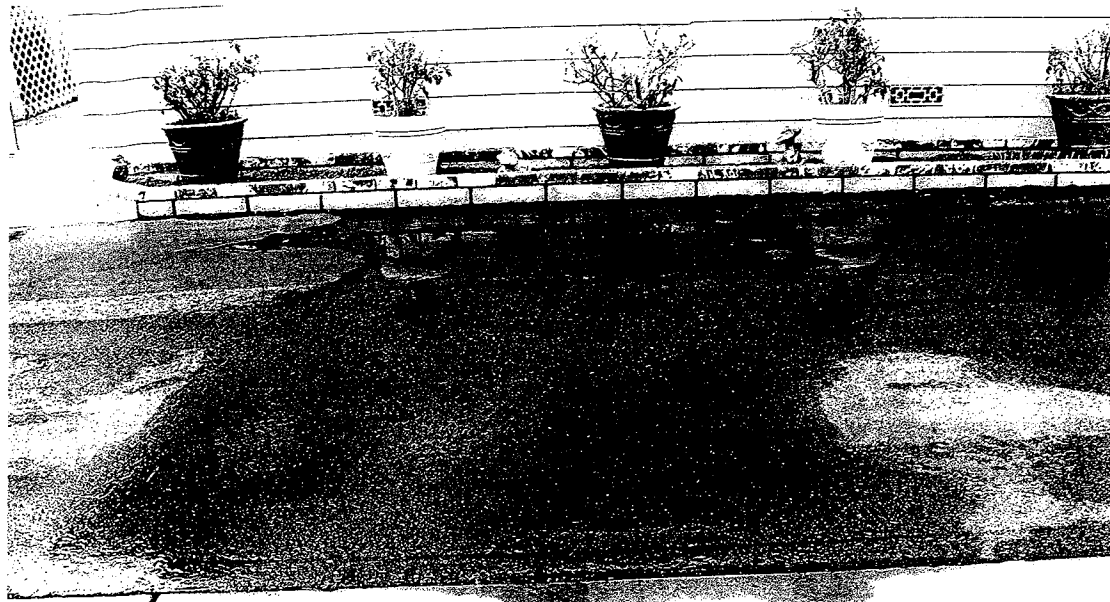
02/06/2010 16 02



#187

02/06/2010 15 59





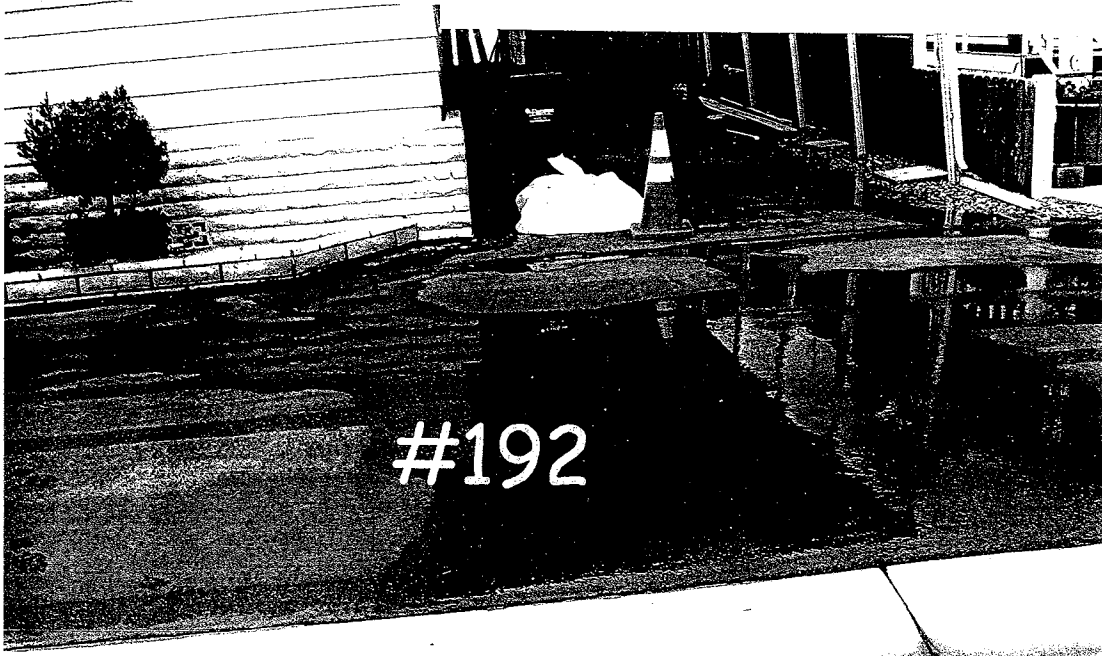
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02/06/2010 15:52

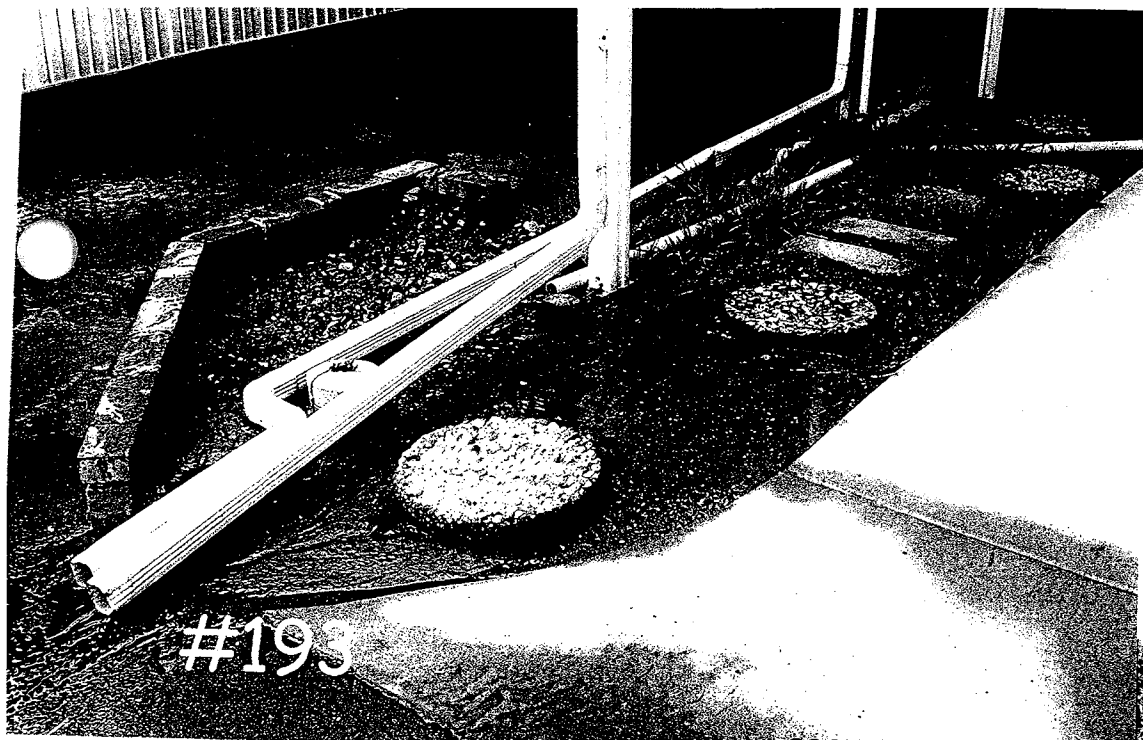


#190

02/06/2010 15:57



#192



#193



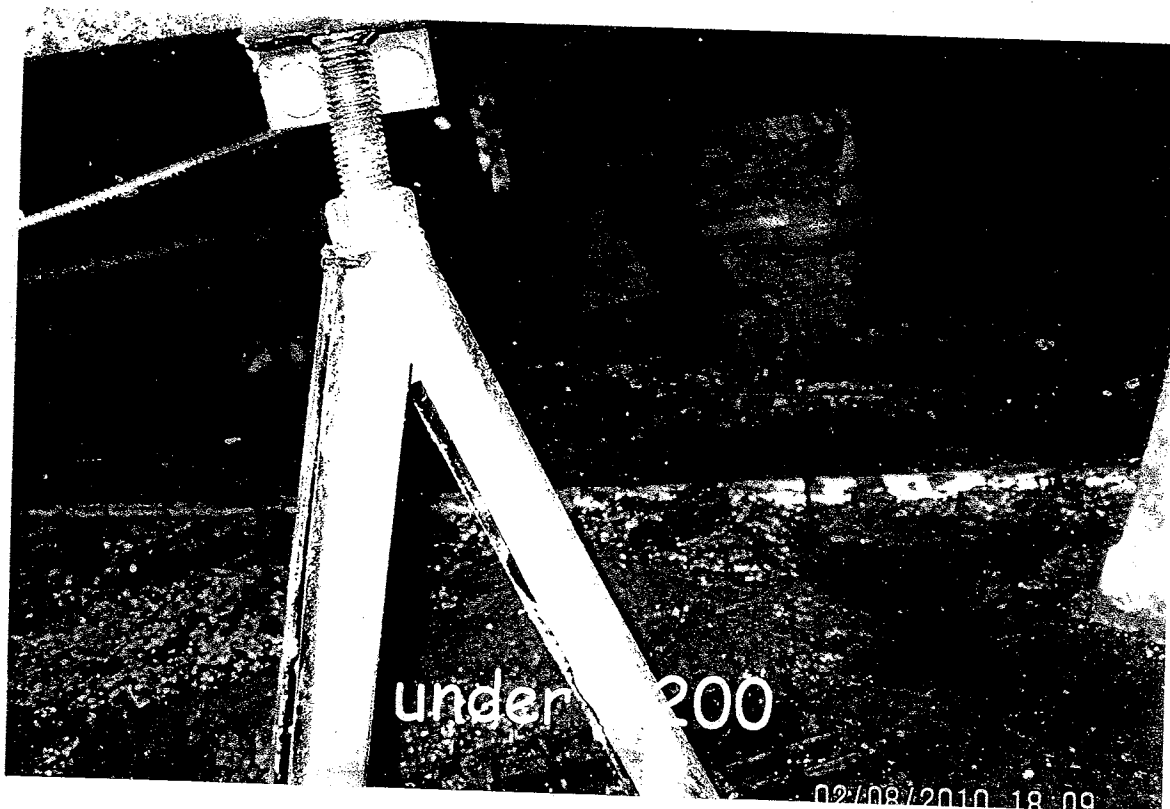
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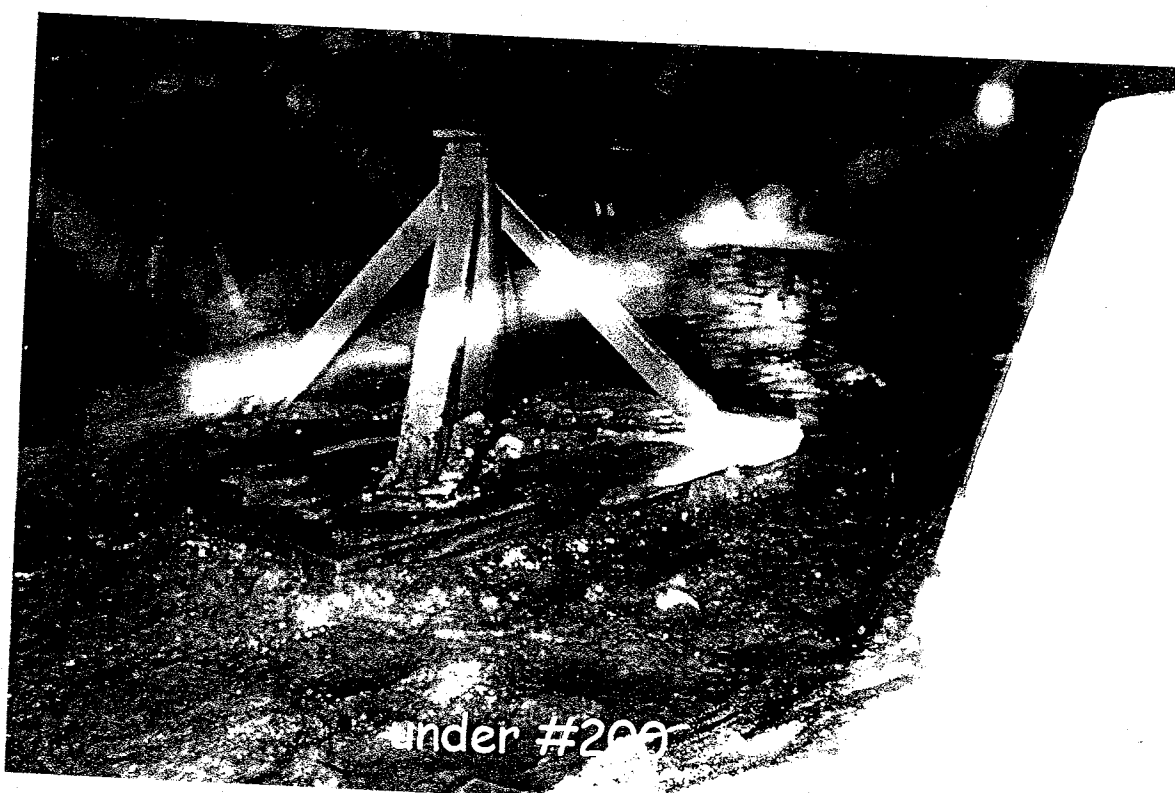
#219



02/08/2010 18:08



02/08/2010 18:09



02/02/2010 12:12



02/02/2010 12:12



#220

02/05/2010 15:22

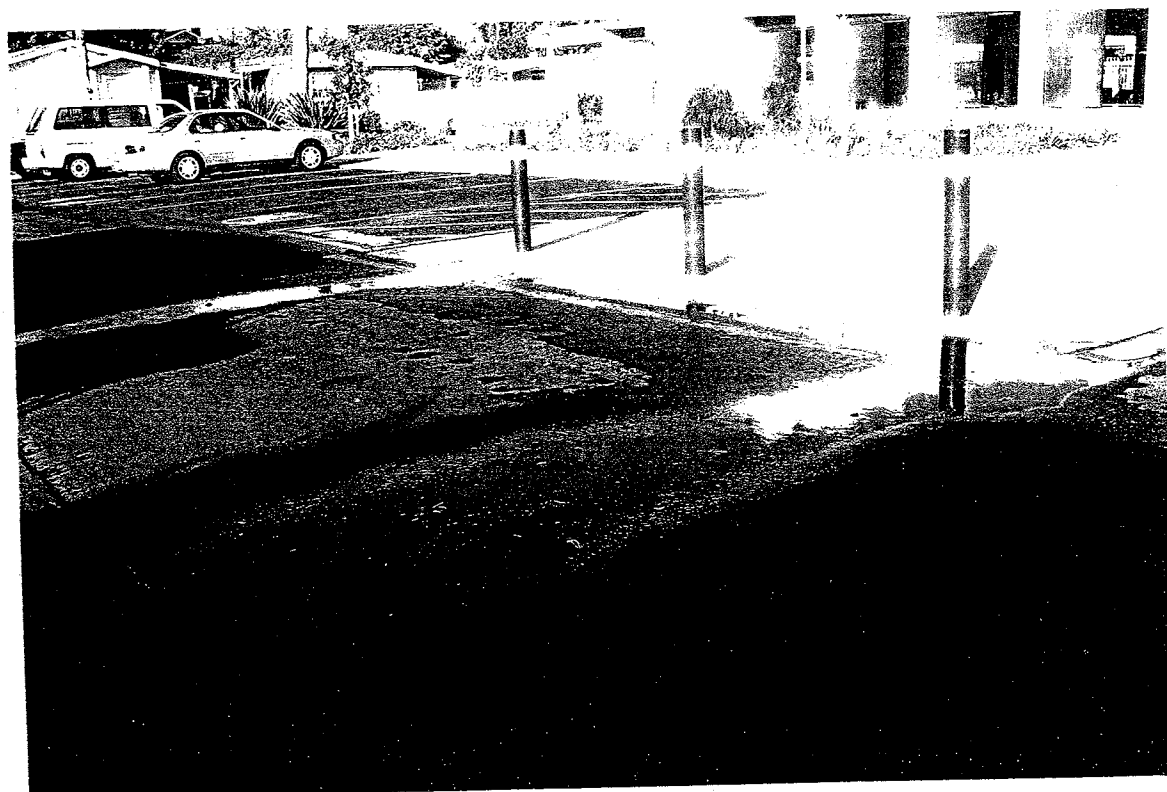


#220

02/05/2010 15:22



#220



83-Jan-2009

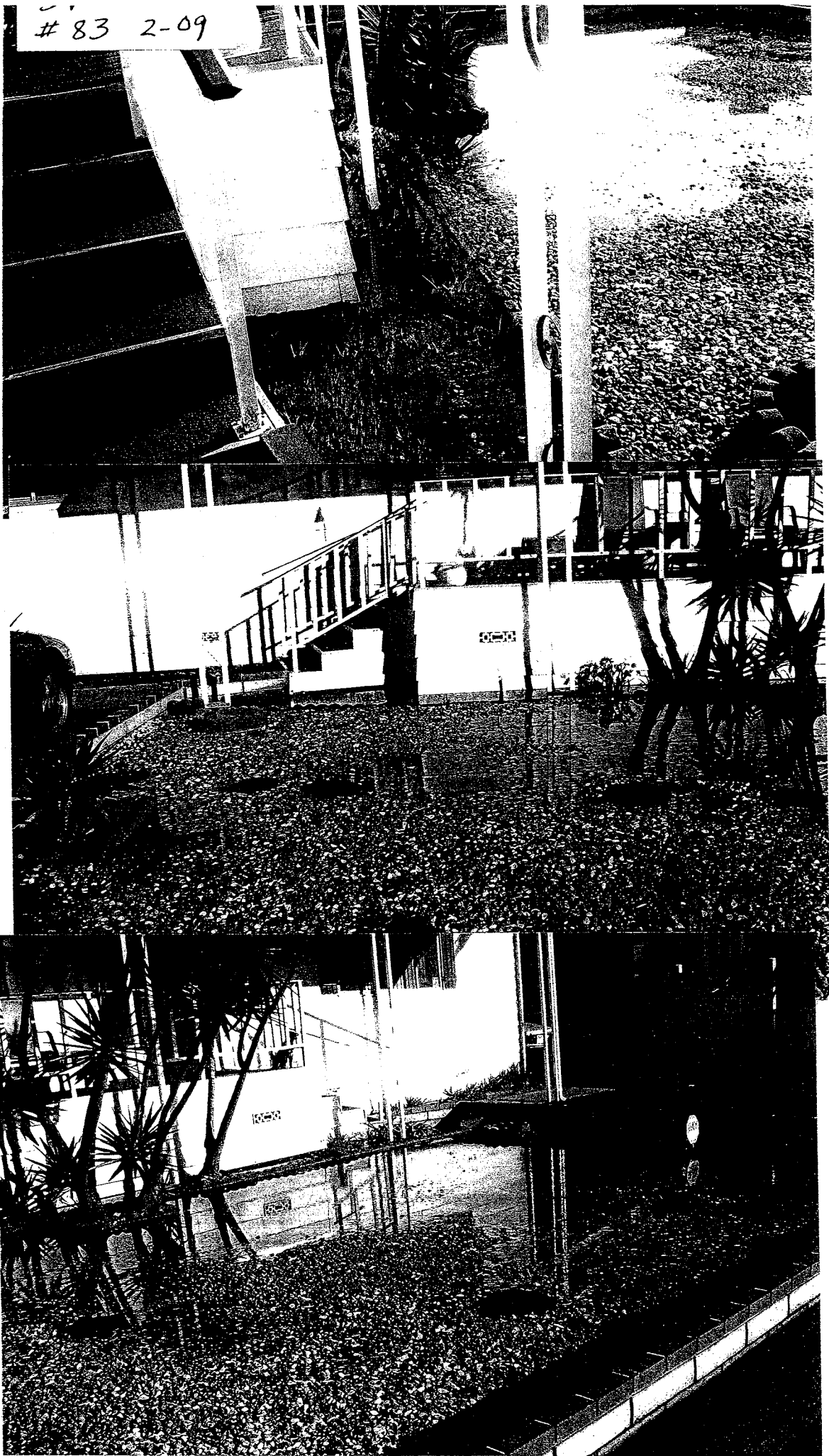
20.



2 pic's
83-2-09



ATTACHMENT NO. 8.21



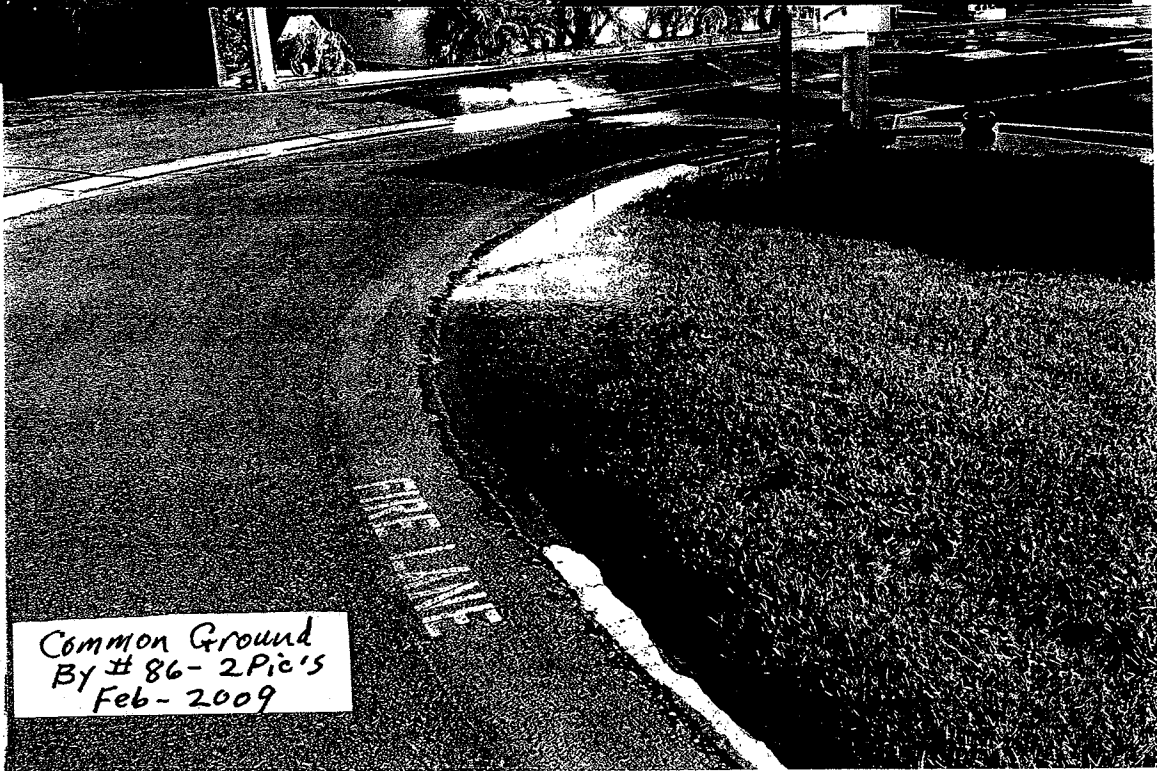
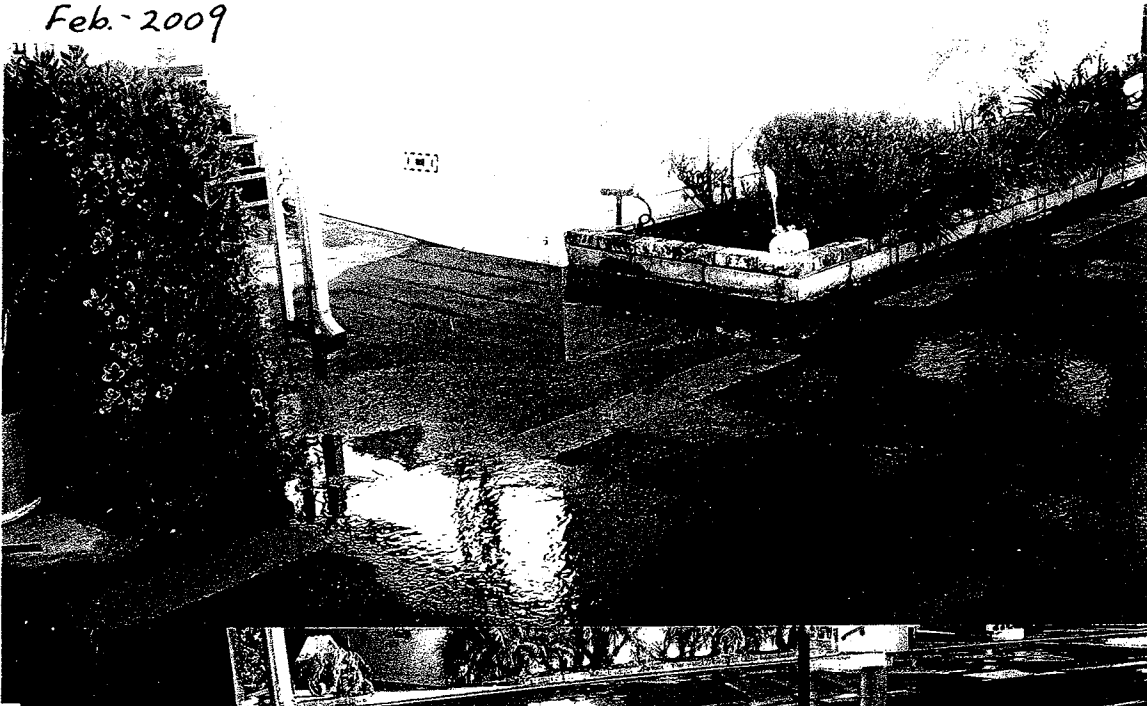
83 2-09

21

ATTACHMENT NO. 8.22

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Feb. - 2009

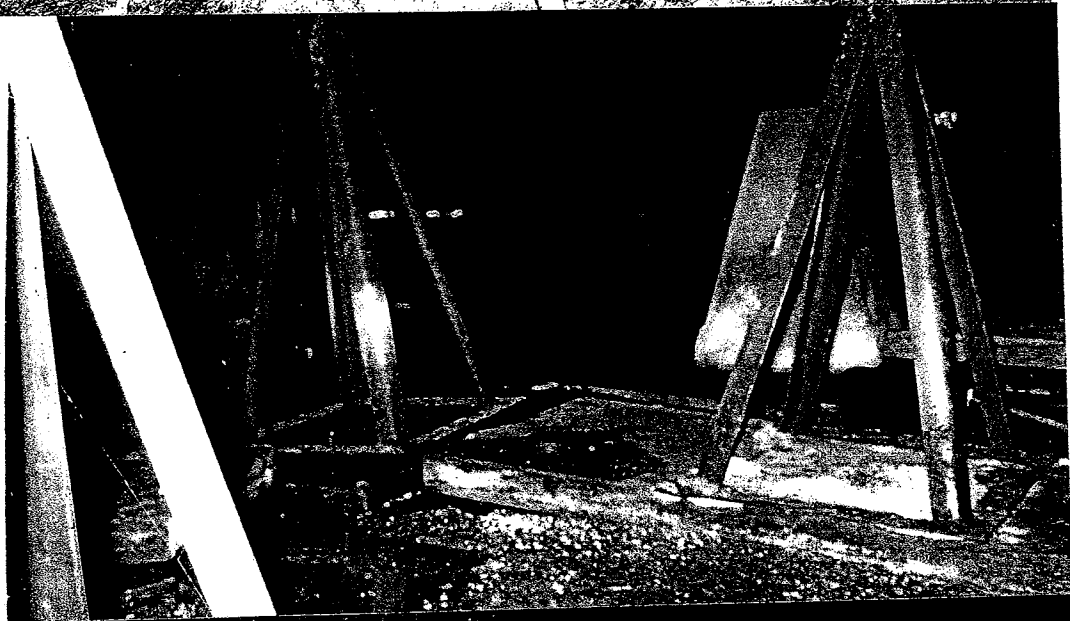
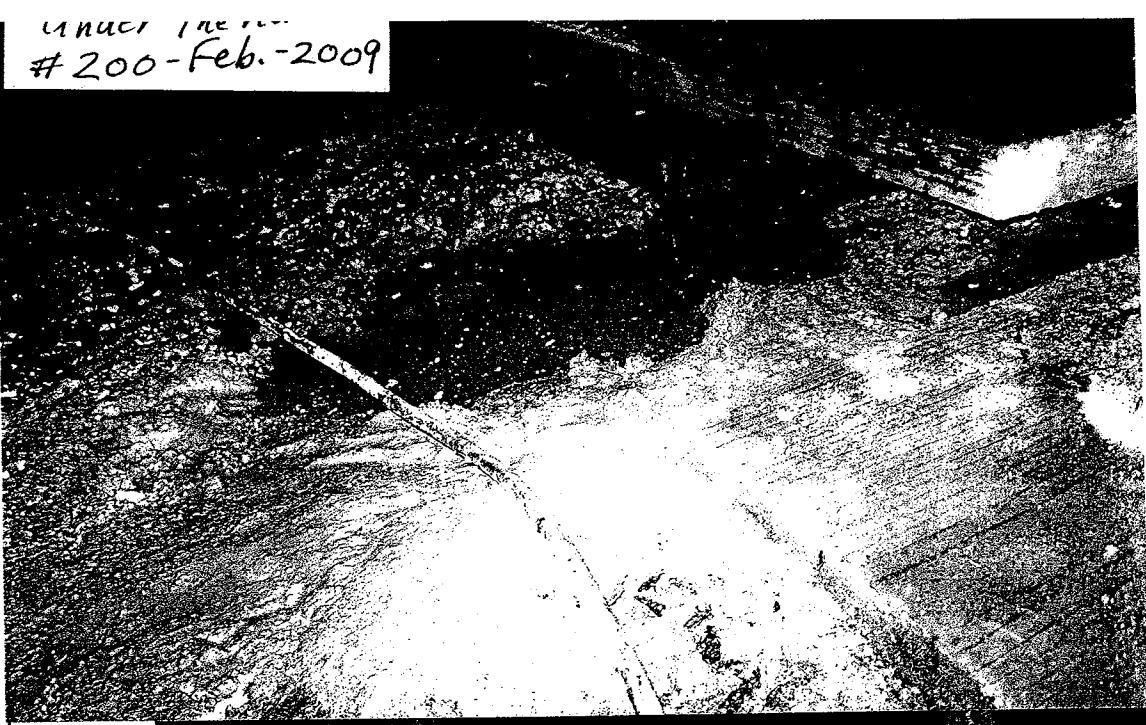
22.



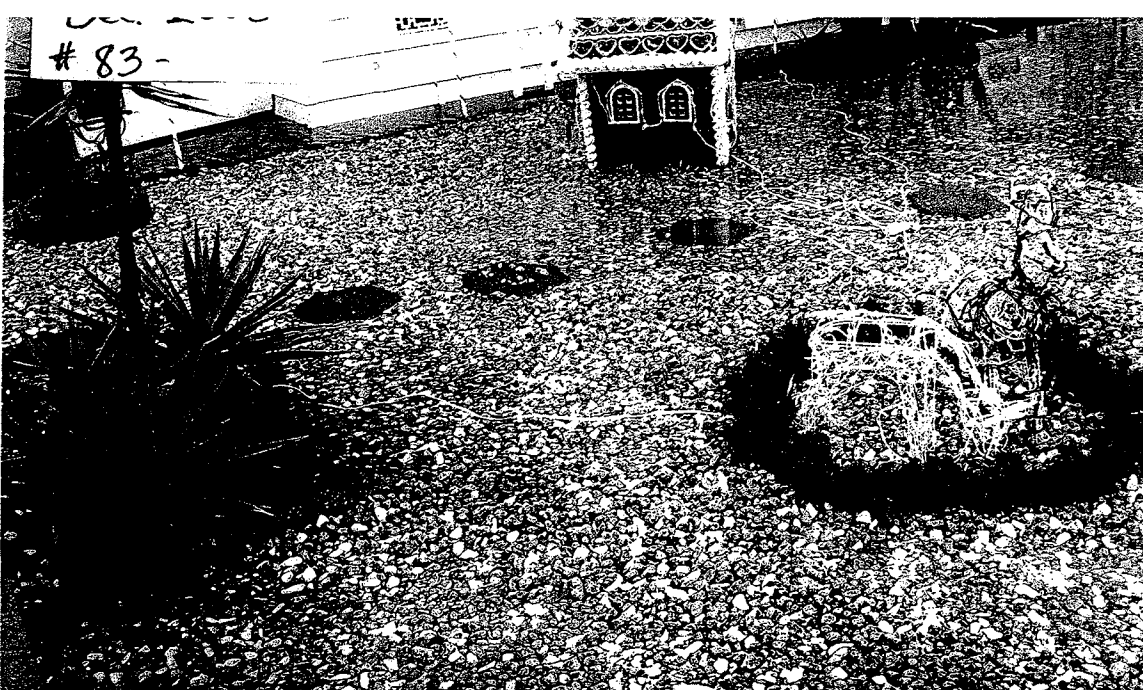
ATTACHMENT NO. 8.23

under the...
#200-Feb.-2009

23.



ATTACHMENT NO. 8.24



25.



ATTACHMENT NO. 8.25

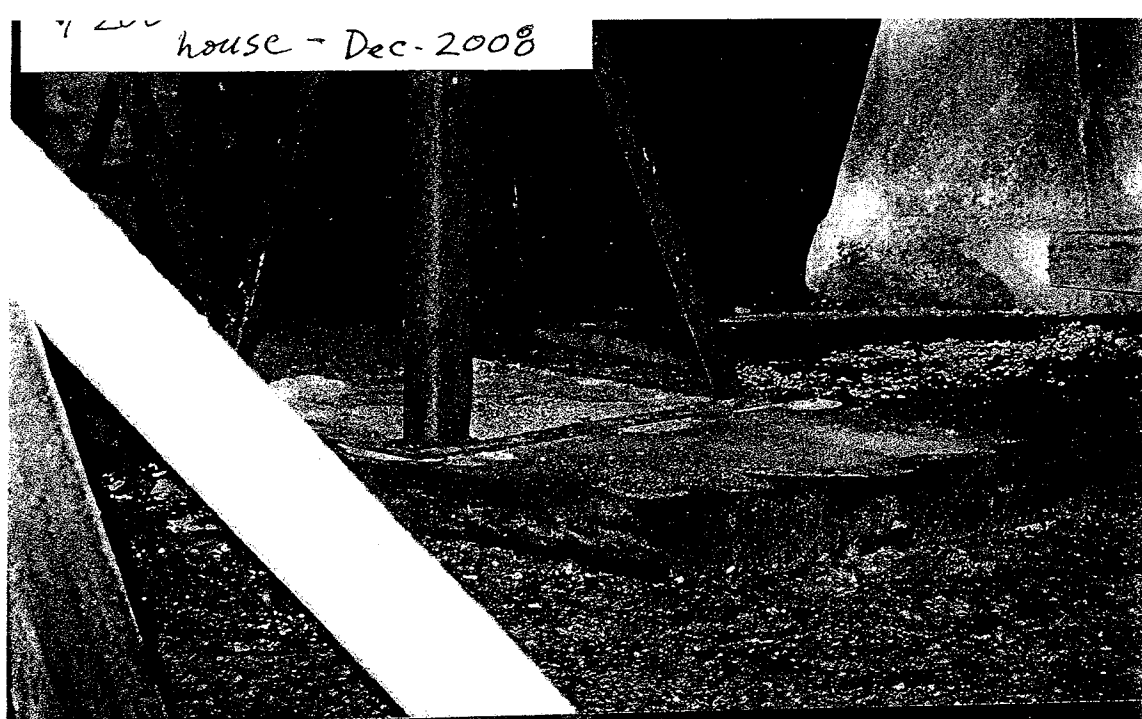
Vacant lot
156 - Dec-2008





7 200 house - Dec-2008

28.



ATTACHMENT NO. 8.28

February 21, 2010

2010 FEB 24

Mr. Ethan Edwards
City Planner
2000 Main Street
Huntington Beach, CA 92648

Dear Mr. Edwards:

I am a resident of Huntington Shorecliffs mobile home park. I am writing this letter on behalf of myself and many of the other residents here. The new owners of the park have decided that they want to subdivide this park so that residents can purchase their land. Great idea if you can afford it. The purchase price that the HOA has mentioned is \$250,000-375,000. Most of the residents that live here cannot afford such prices and with all the problems this park has who would want to take them on. Who is going to give a senior a 30 year loan. With all the problems here it is not even a good investment for those who can afford it. On top of that the HOA fees will be \$290 a month. Once a lot is sold all bets are off on rent prices which means many people will have to leave their homes. These homes cannot be sold now because of the high rents. There are 34 homes on the market now and have been sitting there for months. A few people have walked away. Neighbors have recently received rent increases of \$275.00 per month and were told that next year will be the same or more. Some seniors are on Section 8 and there is talk that the owners want to rescind that. This subdivision is really going to be a hardship for us.

Many homes have mold problems due to the water sitting under their home. After the recent rains, when walking I was shocked at all the standing water that still has not dried up and has no where to go. Apparently, during the rains the culvert on Beach ran over and spilled into the park under houses. Also, water overflowed from storm drains on Frankfurt and was carried through the park, another problem that we will have to deal with if the park is subdivided.

Residents here have filled out 2 surveys and both times voted - no subdividing. The City Council has turned the subdivision down twice.

If the subdivision goes through residents like myself will have to at some point give up their homes and lose a considerable amount of money and at our age for some it could be disastrous financially. Please take this into consideration when considering the subdivision.

I could go on and on about the treatment we have received since the new owners took over but that is irrelevant at this point.

Sincerely,

Mary Jo Casino



Ms. Mary Jo Casino
20701 Beach Blvd. Spc 285
Huntington Beach, CA 92648

ATTACHMENT NO. 8.29

TWO 22, 2010

To Mr. Ethan Edwards, City Planner

Dear Mr. Edwards;

Sir, please please listen to our voices here at Huntington Shorecliffs.

My husband and I, Vicki + Ron Peach live at space #149. We moved here 4 years ago June 11th 2006, the day we celebrate as the "first day of the Best of our lives"

We visited a friend in Seal Beach and found Huntington Shorecliffs and bought our home the same day. We love our city, and our home here but what's our future with subdivision hanging over our heads? I know it has affected my sense of well-being as it has so many of the elderly long time residents I talk to.

Ron and I and everyone I've spoken with are not able or interested in buying our lot or living here with a checkerboard of renters and owners it won't work!

2.

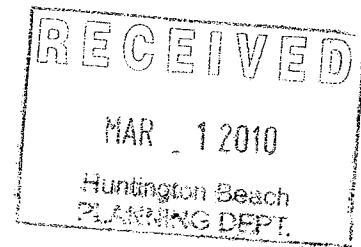
Plus if we will have to pay for the improvements that may be imposed on the owner such as the "Beach Blvd. ditch" we will not be able to stay here — where will we go? what will we do then? this is what is in our neighbors and our minds when we wake up in the "wee hours", its a real worry with us constantly now.

Please, please consider our plight and let us enjoy our Golden Years here in Huntington Shorecliffs and in the city we love, Huntington Beach — (Thankyou for "listening")

Sincerely
Dick & Ron
Peach

0714 969-0551

To: City of Huntington Beach
Ethan Edwards, City Planner
2000 Main Street
Huntington Beach, CA 92648



From: Larry and Maureen Schrock Space 183
Huntington Shorecliffs Mobile Home Park

Date: February 25, 2010

Subject: Supporting or Opposing the Subdivision of Huntington Shorecliffs Senior Mobile
Park, 20701 Beach Blvd, Huntington Beach, CA 92648

My wife and I have spent many hours discussing the pros and cons of the proposed subdividing of Huntington Shorecliffs Senior Mobile Home Park. We bought our coach in 2002 (Space 183) with the intent of spending the rest on our lives here. Therefore, this is a major decision that not only effects how we spend our remaining years but also for all the seniors living in the 306 units in the Park and their families upon the resident's death. The financial implications and the final impact it will make is of huge importance to all concerned. We spent our lives preparing for the future. Making the wrong decision at this time in our lives could destroy everything we worked for with no time or ability to recover financially or otherwise.

With the little information we now have, it seems we are trapped. If we remain renters the owner can raise our rent to the point that we can no longer afford to live in our homes. A home we cannot sell to recoup any of our investment because of the high rent. And buying the lot our home sits on will be the only thing of value because the owner will want top dollar for the lot leaving our mobile home the only flexible part of the transaction. Which means our home will have little to no value in todays or in the foreseeable future of the real estate market. The Park also has many issues such as poor drainage and water problems which if we buy our lot now becomes our problem. An example is that we have to level our coach every year because the jacks deteriorate and sink into the soil because of the moisture. We have to replace several jacks each time the coach is leveled. There is a huge water storage tank in the RV storage yard that collects the water runoff from the hill (Frankfort St) behind our coach. This water is then pumped into the street during the night or early morning hours. This is on the same side of our coach that the moisture causes problems under our home. As a precautionary measure we have installed fans, at a cost of approximately \$1,000, at each end under our coach to try to eliminate some of the dampness.

Another concern is the Planning Departments recommendation for approval of eliminating Beach Blvd. "ditch" outside the park (side walk, trees, etc.). This is a great idea but anyone who buys or rents a lot here in the park will be paying for it. The problem being is that the

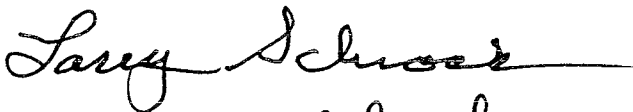

ATTACHMENT NO. 8.32

Owner will include the cost of the upgrade in the purchase price or rental fee for all the lots, so in essence the residents of the park will be paying for the improvements to Beach Blvd., thus increasing financial burdens. This is a Senior Park and many residents who have lived here for a long time are on fixed incomes. Why address this issue now at our expense when our rent is being already increasing at a staggering rate?

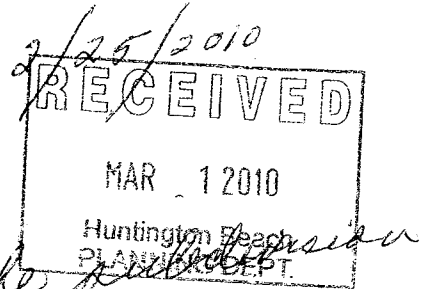
As example we have already experienced a large increase in our rent due to the changing ownership of the park resulting in higher property taxes which have been passed on to the residents. Our taxes have gone from \$1,826.79 in 2009, to \$2141.19 in 2010. Plus we paid Orange County Treasures Office for 2009 taxes in 2009 were \$670.30. (When we moved into Huntington Shorecliffs in 2002 our property tax pass though was \$11.00 per month. With new ownership our monthly pass through is \$179.74 as of February 1, 2010).

Some new residents who own their coach are now paying \$1,600 per month just for the land their coach sits on with no ceiling in site. This is what residents who are under old contracts (\$600 to \$900 per month) have to look forward to when their contracts expire and new contracts are implemented within the next year or two.

All of this said my wife and I feel we need to have more information about the final decisions relating to rent, pass through fees, and ages of residents, price and responsibility of ownership if buying lot, affordable loans, and any other implications of subdividing the Park. These and other issues will determine whether we support or oppose the subdivision, or have to walk away from our investment and home if the owner of the Park makes it financially impossible for us to live in Huntington Shorecliffs. It is our desire is to stay if possible.

Huntington Beach
Planning Board



This is in regard of the ~~proposed~~ ^{proposed} section
of Huntington Shorecliffs.

I oppose the conditions and increase
to the residents for the work to
be done for the improvement to
Beach Blvd. That work should
have been done years ago before
the owners bought this property.
There were complaints to various
agencies concerning the water
and needs etc. No one took
responsibility - other than planning
it once in a while
How much can we afford
to pay if all the conditions
fall to us the residents?

And how legal is it that we
have to pay for the parks taxes on
our monthly lease payments. Where
does it stop? I'm 83 yrs. old,

housing & supporting a disabled daughter.

We can't afford to move;
we can't afford to buy.
where do we turn for help?
The state of Ca. and the city
of Huntington Beach haven't
helped. Why haven't our rental
prices not lowered like the
rest of the state?

Jeromine Curatola

February 22, 2101

FEB 22 2010

City of Huntington Beach
Planning Department
Planning Commissioners
2000 Main Street
Huntington Beach, CA 92648

Re: ITEM A-1, TENTATIVE PARCEL MAP NO. 17296 (HUNTINGTON SHORECLIFFS
MOBILEHOME PARK CONVERSION)

Dear Planning Commissioners,

I agree with the assignment with many others regarding Huntington Shorecliffs; the park owners projected value for the land is totally out of line. He is no-doubt simply trying to re-coop his initial investment for the park to begin with, by creating a greatly inflated and fabricated market value.

It was just a few years ago, that I could sell a brand new high-end Hallmark manufactured home, all HUD standards, 1566 sq.ft., 2-bedroom, 2-bath, with a den, in that park for under \$275,000, and that included the full outside package requirements (delivery, setup, awnings, carport, new cement driveway, walkways, brick-work in the front, with landscaping and a sprinkler system, etc.). And keep in mind, that price also included what it took us, or any other dealer, to get a space in that park to begin with, plus remove the old home, and to fully prep the lot for a new home. In fact, this price would actually be lower today because of the real estate market and current state of the economy.

In my personal opinion, but from actual industry experience, the price the new park owner has estimate for just the lots themselves is totally bogus and completely devalues all the homes themselves, even the new ones. It is definitely not the solution to any issues the residents have, but actually created far more, while allowing a park that is a cash cow anyway for the owner, to make even more money, but now at the total expense of all the residents.

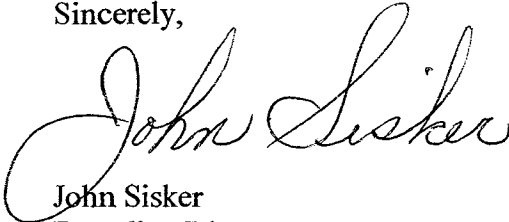
Furthermore, I've been in this business long enough to know that one can come up with any type numbers they want in order to justify an already predetermined objective. A so-called market value is rather subjective in this business, for a rental mobile home park is actually valued by the income it produces, not any projected profits by this conversion. In this particular case, even if I took a similar resident owner park in Fullerton, the numbers from the actual comps over the last two years still would not even come close to what is being projected here. Yet, let's even take into consideration the fact that Huntington Shorecliffs is close to the ocean, yet, it is still out of line. I personally feel the final decision of our Council whether to support these numbers or not, could be totally politically. Unfortunately, the thinking is becoming more of... "if you can't afford it, someone else can." In fact, I've even been told that we should be happy that we got to stay this close to the ocean for a long as we have, but our time is coming.

ATTACHMENT NO. 8.36

Page 2
John Sisker

This callus and backward thinking reminds me of the tongue and cheek phrase in the Disney movie Pocahontas, when England encountered Indians already living here when they arrived, and that was... "you were just using our land before we got here." We're quickly becoming second class citizens, with little to no say in our own destiny. As I said, this decision could very well be political, actually with the decision already made. Now, who is up for re-election or seeking a higher office? The final vote will tell the truth!

Sincerely,

A handwritten signature in cursive script that reads "John Sisker". The signature is fluid and elegant, with a large initial "J" and a long, sweeping underline.

John Sisker
Founding Director
Manufactured Home Owners Network jsisker@sprynet.com
(714) 536-3850
www.mfghomeowners.net

ATTACHMENT NO. 8.37

Mary J. Vaughn
20701 Beach Bl. Sp. 85
Huntington Shorecliffs
Huntington Beach, CA 92648

Feb. 17, 2010

Ethan Edwards, Planning Supervisor
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

FEB 22 2010

huntington beach
PLANNING DEPT.

Dear Mr. Edwards

Subject: Conversion of Huntington Shorecliffs
Mobile Home Park

Attached: Pictures of Water Problems

I am against the conversion because of
the constant flooding, slippery slanted
streets, drainage, broken pipes, water
shut offs, electrical, cable and telephone
problems, and health and safety due to
standing water causing mold.

If someone buys their space they
will be responsible for all expenses
under and around that space. The park
owners and management have stated this.

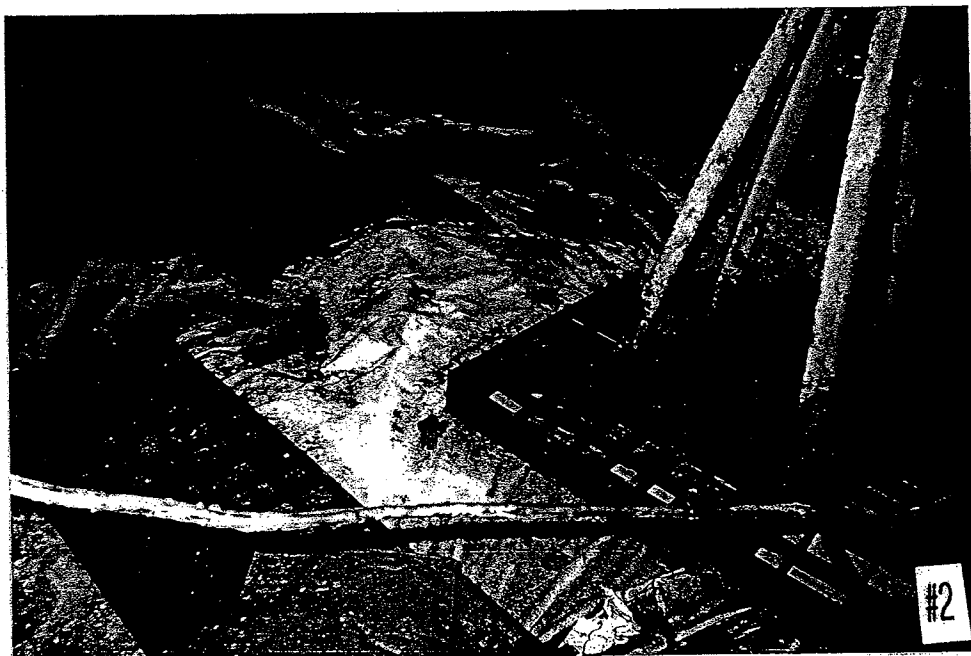
I personally have tried for years
to collect the monies I have spent
to repair the damage this water problem
has done to my home. Twice leveled (in 6 yrs.)
due to rotten piers, sinking home, cracked
walls and pump constantly pumping out water.

ATTACHMENT NO. 838

The 1/19/10 storm ~~hit~~ the Beach Blvd drain between Indianapolis ^{and} Atlantic ^{and} over flowed into my back yard ^{and} under my house with black grease. I personally ^{and} also management had called the city to clean this drain which is filled with weeds ^{and} trash. Nothing has been cleaned for months. This is an eye sore, plus a breeder of mosquitoes ^{and} frogs, plus bacteria. My home backs up to Beach Bl. ^{and} is separated by a cinder block wall that did not hold back this force of water. Please, I implore you to have the city clear up this drain ^{and} ^{or} cover it.

Mr. Edwards I sincerely thank you. I am a 75 yrs young senior that is under much stress due to this water problem ^{and} I am not alone as many of my neighbors had water, mold ^{and} health problems also.

Sincerely,
Mary F. Vaughn



Mary Vaughn
20701 Beach Bl #85
Huntington Shorecliffs Mobile Homes

Picture taken 1/23/10 by Contractor
I called to see why the pump
stopped. Water so deep the pump
burned out.

#1

Mary Vaughn
20701 Beach Bl #85
Huntington Shorecliffs Mobile Home

The water was so deep after pump
burned out the water was 5 ft up
my handicap ramp.

Pools of water on top of moisture
barrier, piers rusting again.

#2

Mary Vaughn
20701 Beach #85
Huntington Shorecliffs Mobile Homes

1/19/10

This is a picture of my neighbors #84
frontyard that runs into my
space #85 every time it rains
it takes weeks to drain but
never dries out.

#3

Subject: Huntington Shorecliffs M.H. PARK
20701 Beach Blvd.
PLANNING COMMISSION STUDY

FEB 22 2010

URGENT

Mr. ETHAN Edwards:

As we know There are many SCAMS against The elderly; They hopelessly & frequently become VICTIMS of manipulation & corruption.

How did it MORALLY happen THAT The COST of living went up, (in our PARK alone,) **39%** while The rest of The Nation went into a recession? Home Prices Plummeted every where (our RENT increased), Soc. Security froze any COST of living increase for us for **2 yrs.** (while mildew & mold increased) in This PARK. Doesn't This sound **Puzzeling** To you, Mr. Edwards?

There is a famous quote "THAT ALL IT TAKES for Evil To Prosper, is for good MEN To do NOTHING." Therefore, Mr. Edwards, Please be The Voice For good For Those who have little To no voice; The Widows, The Poor, The elderly!!

This is a low income PARK with MAJOR Problems & rents & land prices so HIGH & completely out of our financial Range. IT is ECONOMIC EVICTION at its SMOOTHESST!

I invite you To drive Thru our Park. 'Observe'
a home walked away from (one for \$9,000.00)
• 'Observe' The drainage water (& have it tested)
• 'Observe' The dangerous pitch of The roads ~
imagine CANES, WALKERS & unsteady Legs
Trying To safely get From one place To another.

There has been **Much Prayer** for this situation here.

Thank You for listening & being a
Moral advocate for the elderly ~ ~ ~

Respectfully
Shirley Myers and Debi Douglass
20701 Beach Bl. Sp. 271
Wilmington Beach

Request: 3920 Entered on: 02/18/2010 4:00 PM**Customer Information**

Name: Joyce Zeller
Address: 20701 Beach Blvd #79
Huntington Beach, CA 92648

Phone: 714-319-9481
Alt. Phone:
Email: chassy536@verizon.net

Request Classification

Topic: Contact an Executive
Status: Closed
Assigned to: Ethan Edwards
Dept: Planning

Request type: Comment
Priority: Normal
Entered Via: Web

Description

I am writing regarding proposed changes to the terms of residency for Huntington Shorecliffs Mobilehomes in Huntington Beach, where I currently reside. It is my understanding that the City has turned down two previous requests by the owners of Huntington Shorecliffs to change our park and subdivide the lots for individual sale. I reside with my 88 year old mother and provide 24/7 care for her due to her advanced Alzheimers and dementia. Neither one of us would be financially able, nor would we be receptive to families with children, to purchase the lot our home currently sits on. It is extremely important to me and for my mother's continuity of care that we be able to rely on stable housing. If the current status of this park is changed, I believe we would not have that comfort level. I am asking the city and the Planning Department to again deny Huntington Shorecliffs owners the ability to subdivide and sell individual lots.
Thank you in advance for your time in considering my concerns. If I have not voiced my concern to the correct person/department, would it be possible to let me know?

Sincerely,
Joyce L. Zeller
Julia F Ellik

Reason Closed

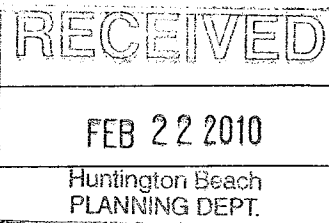
Joyce & Julia,
Thank you for your comments. They will be included as part of the record and forwarded to the Planning Commission for their review.

Date Expect Closed: 03/04/2010

Date Closed: 02/22/2010 08:04 AM **By:** Ethan Edwards

Enter Field Notes Below

Notes:

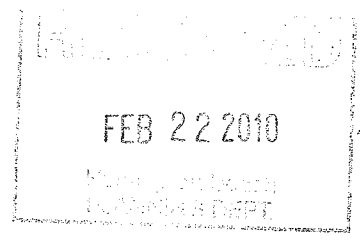


Notes Taken By: _____

Date: _____

ATTACHMENT NO. 8.44

21,8110



Dear Mr.Edwards;

My name is Joseph Moore and I live in Huntington Shorecliffs space #231. I have lived here for 6 years and was planning on living here until I passed away. I invested all my money into my home and I love living in Huntington Beach. I worked for 42 years in the Huntington Beach High School Dist. And thought I would have a good retirement. Now I have a big problem because our park was sold and the new owner wants to subdivide this property. The problem is neither I nor most of the people who live here want to buy the property that our homes sit on because we can't afford to. They say that I would have to pay about \$375,000.00 for this small amount of land. I am paying the bank for my home, and I have bills left over from when my wife was sick and died. Now the new owner is not giving us a lease and he can and is increasing our monthly rent as much as he wants. I just received a letter the other day telling me that my rent is going up another \$275.00 a month and I was told that it is most likely going to go up another \$300.00 next year. I started 6 years ago paying about \$950.00 and now with the rent hike I have to pay \$1,700.00 a month. We can't sale our homes because no one is going to buy in here with the cost of rent. I truly am scared that I and a lot of my seniors neighbors who live here our going to be priced out of our own homes with no means to relocate. I hope you will take all of this in consideration and pass the word to the city planning commission before you let us old people be pushed aside. We need your help and I hope you don't let this subdivision go forward.

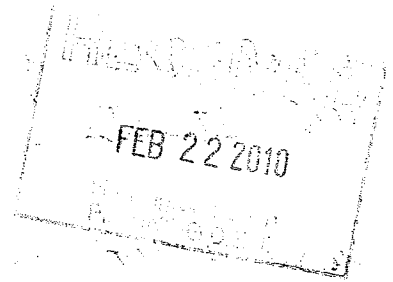
Thank you.

Joseph A. Moore

ATTACHMENT NO. 8.45

Joseph A. Moore
20701.Beach Blvd. #231
Huntington Beach, Ca. 92648

City of Huntington Beach
Ethan Edwards, City Planner
2000 Mar 11 St. H.B. 92648



Subject: Huntington Shadelfs Proposed Subdivision
I am oposed to the Subdivision

We live in a swump. this is not noted
for living much less for elderly people.

I'm 77 years old. My wife died of cancer last year
I live on Social Security and with rent assistan
from The Orange County Housing Authority or I
Could not afford what the new owners are
charging now for rent and new increases in May
I own the Home, I rent the land under it.
The Land is soaked year round causing mold to
grow in the house. We are way below the homes
above and rain and irrigation carry down here
Pesticides, trash, dirt, Fertilizers, motor oil
from the streets above.

You must come and see for yourself the moisture
the poor run off and bad conditions we are
forced to endure.

It wasn't always like this but badly done
"improvements" made the situation so much worse
I'm Trapped. I can't sell this house. It's unfit for
living and I have no where to go.

if you approve the subdivision you will

ATTACHMENT NO. 8.46

force many of us older people to live on
the streets.

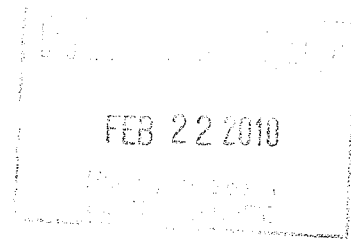
Please don't let greed destroy so many lives,
mine and my senior friends in this same
place

God bless you

John Strada
20201 Beach Blvd SPC 199
Huntington Beach, CA 92648

THANKS

Ethan Edwards, City Planner
City of Huntington Beach, California
2000 Main St.
Huntington Beach, California 92648



Feb. 19, 2010

Re: Study Session, Subdivision of Huntington Shorecliffs
Mobile Home Park.

Dear Mr. Edwards,

My wife and I have been residences of the subject park for 8 years. When we occupied our space Huntington Shorecliffs was presented to us to be a senior park which would naturally mean a lot of retired people. It was then and still is a senior park with no efforts to convert it to a family park that I am aware of.

I mention this because out of the 300 plus units in the park I know very many seniors in this park that are on a fixed income, as my wife and I are, who would not be able to afford the current fees plus the additional costs that would be passed on to the tenants. This, of course, this would mean our having to relocate. Many are currently very happy with the park and would like to remain in Huntington Beach.

Please consider these conditions as you ponder the request to subdivide.

Thank you,

Robert & Arlene Truitt
20701 Beach Blvd. SP167
Huntington Beach, California 92648

FEB 22 2010

20701 Beach Blvd. #51
Huntington Beach, CA 92648
February 18, 2010

Ethan Edwards, City Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Mr. Edwards,

We are writing you regarding the proposed subdivision of Huntington Shorecliffs Mobile Home Park. We are residents here and have been for over 20 years.

We are very disturbed and worried about this proposal. We, like some of the others in this park, thought this would be where we retired and would spend our later years in relative peace. Such is not the case. Most of us do not have what the cost of this property per lot would cost. If we continue to rent and the rents sky rocket to meet market value that still equals economic eviction for some of us. Many of our neighbors are running scared. This is evidenced by the number of empty homes for sale. Those who can afford to sell out and leave...DO. We, unfortunately, are not among them.

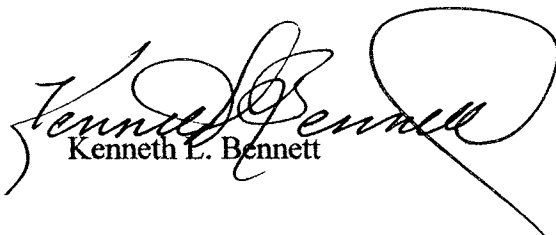
In the years since this whole process has begun, the stress has been unbearable. No maintenance has been done in the park since the new owners have taken over. The streets in the park haven't been slurried in years. Nothing's been done about the steep pitch in the street in front of our coach. It's so steep that at least 5 different people have fallen that we personally know of due to the state of the road. People constantly drive on the wrong side of the road to avoid the "dips" at every intersection of our street, also avoiding all stop signs. When it rains we can't walk across the street, the water is so deep and fast running!

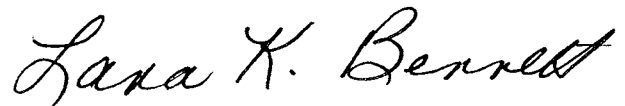
The owners have already torn out one of our laundry rooms to make an office. We understand they want to remove one of the pools to add more coaches to the park. We object to this, as well.

We pay more and more each year as they raise our rents and they give us less and less.

Once this conversion happens, our coach will be worthless. Where could we find someone to buy this small lot for more than a new home costs?

Yours truly,


Kenneth L. Bennett



Lana K. Bennett

ATTACHMENT NO. 8.49

FEB 16 2010

ENCOURAGING COURT RULING

COURT RULES THAT THE RESULTS OF A RESIDENT SUPPORT SUR- VEY MUST BE CONSIDERED IN DECIDING WHETHER TO APPROVE OR REJECT A MO- BILEHOME PARK SUBDIVI- SION CONVERSION APPLICATION

*By mobilehome owners' rights
attorney, Will Constantine*

After the veto of AB 566, and the disappointing appellate decision in *Sequoia v. Sonoma County*, there is finally some great news in our fight to stop the forced conversions of mobilehome parks to subdivisions that are pursued against the wishes of the residents of the parks. That news is that, on December 30, 2009, Santa Cruz County Superior Court Judge, the Hon. Paul P. Burdick, ruled that Government Code section 66427.5 **requires** local jurisdictions to **consider** the results of resident support surveys, required by subsections 66427.5(e), in determining whether to approve or deny mobilehome park subdivision conversion applications.

Judge Burdick's decision was issued in the case of Paul Goldstone Trust U.T.D. v County of Santa Cruz (Santa Cruz Superior Court Case Number CV 164458 - 2009). In that case, the Park owner's attorney, Thomas Casparian of Richard Close's law firm, Gilchrist & Rutter, filed a Writ of Mandate asking the court to overturn the decision of the Santa Cruz County Board of Supervisors, which had rejected the conversion application of Alimur Mobilehome Park based on its resident support survey's vote of 97 to 2 in opposition to the conversion, thereby, demonstrating that it was a non-bona fide conversion, lacking resident support. Mr. Casparian argued that the recent Sequoia

decision had "acknowledged" that "requiring a conversion to be bona fide or supported by residents is forbidden under state law." He then argued that section 66427.5(e) simply required the County to determine that the Survey was "conducted and submitted" so it could be preserved for court review in possible future litigation.

Assistant Santa Cruz County Counsel, Jason Heath countered Mr. Casparian's argument by pointing out that the *Sequoia* decision only ruled that local regulations were preempted by section 66427.5 and that it did not address the issue of whether or not the County could "consider" the results of the resident support survey in deciding to approve or reject the conversion application. Mr. Heath then relied on the clear directive contained in subsection 66427.5(d) that the County was to "consider" the survey results when acting on a conversion application. He also pointed out that AB 930's (section 66427.5(d) and (e)) uncodified legislative intent section clearly states that it is the legislative intent of AB 930 that the surveys are to be used to prevent non-bona fide resident conversions, which it defined as conversions that did not have resident support.

Judge Burdick agreed with Santa Cruz County that section 66427.5 required a local jurisdiction to consider the results of a resident support survey in determining to approve or reject a conversion application. At the hearing, Judge Burdick responded to Mr. Casparian's arguments by verbally stating that it was not logically possible to interpret section 66427.5(d)'s directive that the survey results "are to be considered" by the local jurisdiction in making their decision to, instead, mean that they are merely to determine whether or not the surveys were conducted and submitted. Judge Burdick's subsequent written decision then stated:

"The Court finds that Government Code section 66427.5, subsection (d)(5), is clear and unambiguous on its face, and

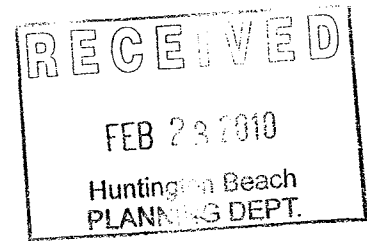
states that the results of the required survey shall be considered by the local agency reviewing the application as part of the subdivision map hearing required by Government Code section 66427.5(e). Based on this plain and clear language, the Court finds that a local agency considering a subdivision application under Government Code section 66427.5 is required to consider (i.e., take into account, deliberate on, weigh, etc.) the results of the resident survey in determining whether to approve, conditionally approve, or deny the application."

Several weeks after Santa Cruz County's hearing, Mr. Casparian again made his same argument to a three-judge panel of the Second Appellate Division in the case of *Carson Harbor Village v City of Carson*. At that hearing, like Judge Burdick, the presiding justice responded to Mr. Casparian that it was not possible to interpret section 66427.5(d)'s directive that the results of a resident support survey are "to be considered" by a local jurisdiction by simply determining that the survey was "conducted and submitted" so it would be available to a future court. The Appellate Court's decision in *Carson Harbor Village* is scheduled to be the issued by March 1, 2010 and we are hopeful that it will be similar to Judge Burdick's Alimur decision given the similarity in the arguments that were made in both cases and how the judges responded to them. While we wait, we can celebrate Judge's Burdick's decision that affirms that GSMOL's efforts in sponsoring AB 930 several years ago, and successfully lobbying it through to enactment, have finally provided us with the tools that are needed to stop the flood of forced conversions that would have inundated California without those protections.

For more information you are welcome to contact me by telephoning me at my office: 831-420-1238.

ATTACHMENT NO. 8.50

20701 Beach Blvd., Space 220
Huntington Shorecliffs Mobilehome Park
Huntington Beach, CA 92648
February 22, 2010



To the Huntington Beach City Council Members:

Re: Proposed Subdivision of Huntington Shorecliffs Mobilehome Park

Ladies and Gentlemen,

This is to urge you, as you discuss the subdivision of this senior mobilehome park, to please also very seriously consider the best interests of the senior citizens residing in this park.

We have been residents of Huntington Beach for 40 years, raising our large family here, and several of our children, now adults, reside with their families in or near this city. We are both professional people with good educations. Like many parents who invested themselves in large families, we did not enter our senior years with a significant financial estate.

As our seniority approached, we thoughtfully and carefully prepared for it by downsizing from a large home to the mobilehome we purchased and in which we currently reside in Huntington Shorecliffs. We have been here for 11-1/2 years.

The terms and conditions represented to us when we considered moving here were financially acceptable for long-term residence, and we purchased our home and moved in with confidence, expecting to live here for the rest of our lives. We were both working full-time when we came here, but we anticipated the time would come when we would no longer be able to work, and under the Landlord's terms of residence in existence here at that time, we believed we would be able to remain here.

This is a rather "funky" park with regard to utilities, but we have good-naturedly endured the inconvenience of frequent un-announced water shutoffs, some for long periods of time. We quickly learned to keep many large bottles of water handy, for drinking and washing up and flushing the toilets. We keep a 50-gallon metal drum filled with water in our back yard just in case. There have been times when one of

ATTACHMENT NO. 8.51

February 22, 2010

Page Two

us has been in the shower lathered up with soap only to have the water shut off without any warning. The Park Manager previous to the current one told us that the utilities plans for this mobilehome park have been lost, and when Sacramento was consulted, they did not have them either. So the utilities here are something of a mystery.

Mold has always been an issue in our home. So far, we have been able to keep it under control by treating it ourselves at our own expense. However, we do not know if that will always be sufficient. Since the previous owner laid new asphalt on the roads in the park, water now pools for several feet in the area at the foot of our steps. Algae grows there. We are not surprised that some of the residents have much more serious problems with mold if water is standing in larger amounts near or under their homes.

A serious issue we have regarding this park is that we can no longer trust the representations made to us. When it became apparent that the park was being renovated by the previous owners (a family), naturally the residents became concerned that it might mean a sale was in the offing. Subsequently, a member of the family and his attorney called a meeting with the residents where he reassured us that no sale of the park was being contemplated. We were in attendance at that meeting. Escrow on the sale of the park closed one month later.

When it became apparent to us, the residents, that the former park owner had no interest in our welfare and that we were on our own, the residents retained legal counsel, and have been attempting to resolve several serious issues within the park through legal means, including lawsuits.

We are not so unfair as to attribute the behavior of the previous owners to the current owner. However, we made our careers for many years in commercial real estate, and consider ourselves fairly knowledgeable. The current owner bought this property just at the height of the real estate bubble, right before it burst, the worst possible time for an investment. Naturally, he did not buy this property to lose money, but to make money. Apparently, he has decided to pursue the course of subdividing the property as the likeliest to provide him with a profit.

It is the American way to prosper if you can. However, I hope it is also still the American way to do so with fairness. So we are asking you to please look at the

ATTACHMENT NO. 8.52

February 22, 2010

Page Three

situation in this mobilehome park not only in terms of dollars and cents, but in terms of the lives that will be affected, for better or for worse, by your decisions.

As you contemplate what to do, please consider that you are deciding the fate of your fellow citizens. Please, please do not just consider what is best for the City, or what is best for the owner of the park, but also consider what is best for the people that live here and call this place "home".

Here are just some of the important points we urge you to consider:

1. If the property is subdivided, what are the lots going to cost? Will any of the residents be able to afford to buy their lots so that they can remain in their homes? Remember, most of us are on limited fixed incomes.
2. Even if we could afford to buy our lots, who will be responsible for the sorry state of the utilities and the fact that the original plans cannot be found, even if we could afford to make repairs?
3. Who will be responsible to remedy the "standing water" problems that are causing mold issues here? This is a serious health concern.
4. We learned recently that street water runoff from Delaware Street, draining onto Frankfort, is emptying into our mobilehome park from a sewer pipe that opens onto the surface of the land near the top of the driveway opposite our home. So whatever is lying on the surface of those streets is being dumped here. I don't want to think what that might include. Do we have a serious health hazard here? Who is responsible?
5. We understand the City Council is contemplating requiring the owner of the park to fill in the Beach Boulevard "ditch" and put in a sidewalk and trees there. That is a wonderful idea, but who is going to pay for such a great expense? If the current owner follows the pattern of the former owners, then he will pass through the expense to us, the residents. Is that your intention? How in the world will we be able to absorb that expense?
6. The present owner is in the process of raising all of the rents way beyond what any of us anticipated, or were told to expect, when we moved into this park under the previous owners' leases. Among the residents, there is

February 22, 2010

Page Four

dismay regarding the past, uncertainty about the present, and fear for the future. Will our homes even have any resale value when the future of this park is finally determined?

Again, we ask that you thoughtfully and carefully consider the future of this mobilehome park, remembering that you are deciding the fate of the people who live here, and who have invested all or most of their financial resources, as well as their hearts, in their homes. We hope our trust can be restored through your actions.

Sincerely,

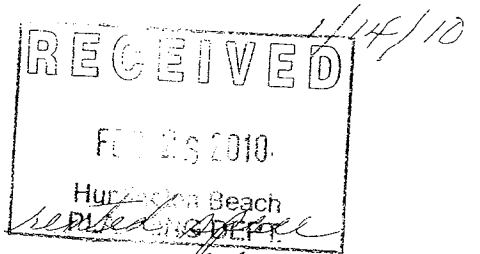
A handwritten signature in cursive script, appearing to read "Richard F. Danell Martha M. Danell". The signature is written in dark ink and is somewhat stylized.

Richard F. and Martha M. Danell

✓ Copy to: Huntington Beach City Planner

ATTACHMENT NO. 8.54

Reference to Huntington Shorecliffs



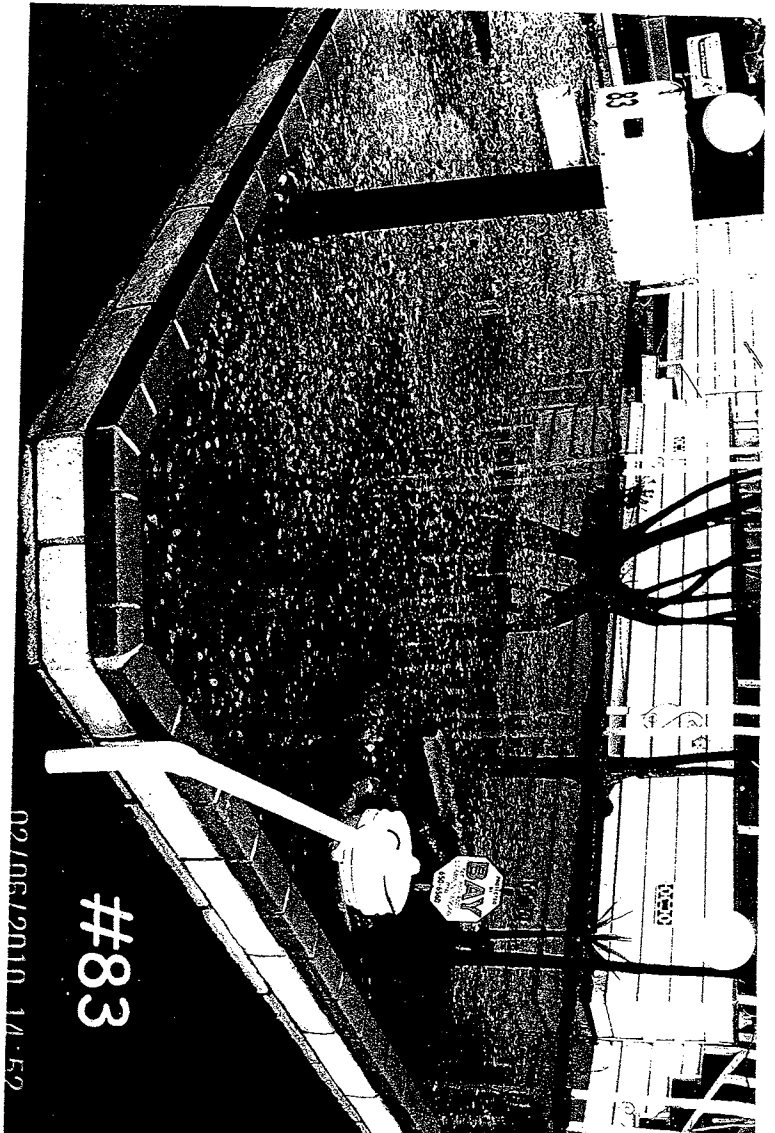
To Whom it may concern,

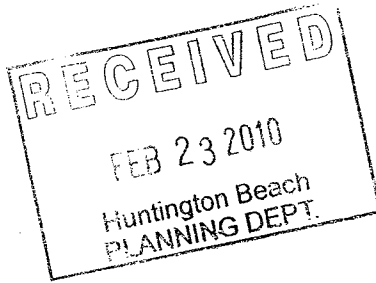
Sylvette M. Sheremad have rented space number "Eighty three" in Huntington Shorecliffs since 1997 - copy of original copy attached to this letter. Then in 2006 I signed a new lease that management pressured me into signing. When the owner and management re-surfaced the streets they made them three to four inches higher than what it had been in front of my space and also the driveways, this caused all the rain water to stand in my front yard and along both sides and under my mobile home for several weeks after a rain. Then to make things even worse the management put up bricks around the front yard and on the sides of my home, with no way for the water to get out and soak the underneath of my home, so when it rains I have a lake in the front of my home and underneath and on all sides. I have heavy moisture inside my home and mildew on all my shoes and anything that's in my closets. I reported all of this to many times to count, I was promised on a regular basis that they were going to fix the problem. But no body has done anything to change the very bad situation. When the new owner bought the property his manager looked at the problem and promised it

would be fixed, He ask me to take pictures and give them to the office "Which I did" and write a letter which I did, then during one of the meetings * spoke to the same new manager and again he promised to fix the problem. The office personal have come to see my problem many times over the years and a lot of neighbors have made jokes about my personal "Lake front property" I've sent pictures, written letters, listened to all the empty promises and still nothing gets done. So before I could consider buying this space I feel it's only fair someone rights the wrong I've had to live with for years.

Respectfully Yours,
Nette M. Sheneman
Space #83

ATTACHMENT NO. 8.57





Sharon Dana, Resident
Huntington Shorecliffs
20701 Beach Blvd. #200
Huntington Beach, CA 92648
February 22, 2010

City of Huntington Beach
2000 Main Street
Huntington Beach, Ca 92648

Attn: Ethan Edwards, City Planner

Dear Mr. Edwards,

This is regarding the request for subdivision of Huntington Shorecliffs Mobile Home Park.

It is my understanding that one of the requirements that the owners must meet to subdivide is the building of a sidewalk over the drainage ditch on Beach Blvd. While this is a worthwhile project, and one that is long overdue, I do not feel that the people residing in the 304 homes in Huntington Shorecliffs should be the ones to shoulder the burden of paying for this alone--and this is what would happen if it is a subdivision requirement. The owners of Huntington Shorecliffs Mobile Home Park have always passed along any expense to the residents. This would be no exception.

While the projected price of \$275,000 to \$385,000 sounds reasonable for a place to live in Huntington Beach, people have already purchased the home that sits on this land. These people are seniors on fixed incomes. Seniors that have purchased these homes with the intent of spending the rest of their lives there. Now they will be economically evicted, because they cannot afford to live in their homes. And the homes have become virtually worthless and unsellable because of the conditions in the Park, and the because of the subdivision.

There are many issues that are unresolved within the Huntington Shorecliffs Mobile Home Park. The current owners of Huntington Shorecliffs have been in possession of the property for more that 2 years now. There were many existing problems within the Park. When the current owners bought the Park, they bought the problems associated with being land owners and landlords.

Some of the issues are:

- Unresolved water drainage problems, which allow water to stand for long periods of time under and around homes, leading to molds & mildew under, in, and around residents homes.
- The repaving of streets within the Park that are so much higher than the homes, thus trapping water under existing homes, again causing mold problems, and causing homes to sink into the mud and muck.
- The storm drains that carry water from Franklin Avenue streets and run through the Park before they drain out, carrying pesticides, herbicides, fertilizers, animal feces, trash, dirt, gas, motor oil and brake fluid residues from cars that use the city streets, leaving unhealthy residues all through the Park.

ATTACHMENT NO. 8.58

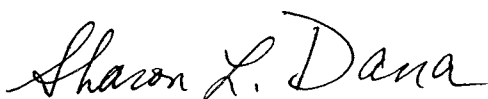
- When the streets were repaved, the pitch was altered, making it dangerous and almost impossible for many of the senior residents to walk in their neighborhoods without losing their balance and taking life threatening falls, thus making many seniors virtual prisoners in their own homes.
- The infrastructure of Huntington Shorecliffs is almost 40 years old, and in dire need of updates to the electrical grid to support the additional needs of the new homes being brought into the Park. The sewers, too, are having problems. What better way to solve the problems than to dump the responsibility back onto the residents!
- There are also lawsuits pending in court seeking resolution for these issues. When the current owners bought this Park, they were aware of these issues. How can the land be sold, when the condition of the land is the very issue at the heart of the lawsuits? Should people buy the lots in this Park, they become landowners in the Park, and risk becoming liable for any penalties that might be adjudicated against the Park owners.
- The owners of Huntington Shorecliffs have said that no one will be economically evicted-- You will not be forced to buy, you may continue to rent. What is the Market Rate Value of a lot in a Mobile Home Park--a small plot of earth where you already have in place a home that you already own? And if you are low income and decide to continue renting, your rent increases will be CPI rent increases only. But that is **only** after the rents are brought up to "Market Rent", and "Market Rent" will be an amount decided by the current owners. There is no ceiling on "Market Rent". **And Mobile Homes are NOT Mobile.** They cannot just be picked up and moved. Most senior citizens living in Mobile Homes have their life savings tied up in their homes, and the homes themselves become worthless in a subdivision of a Park. How many seniors will lose their homes? How many have no where else to go?

I ask you to please help protect the Senior Citizens residing in mobile homes within the City of Huntington Beach.

One of the issues at hand is that a landowner is responsible for giving residents of Mobile Homes a dry, safe bed to put their home on. Now the owners of Huntington Shorecliffs want to dump the responsibilities and problems on seniors with limited and fixed incomes.

Please help the Seniors that are residents of Huntington Shorecliffs protect their homes by denying the Subdivision. Thank you.

Very truly yours,



Sharon Dana, Resident, Huntington Shorecliffs
President--GSMOL 571
HOA Board Member--Huntington Shorecliffs

ATTACHMENT NO. 8.59

TO THE PLANNING DEPT 2-21-2010
CITY OF HUNTINGTON BEACH

FROM JAMES JORDAN

FLOKA JORDAN

HUNTINGTON SHORECRAFT SPACE #247

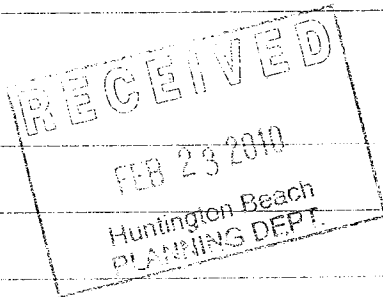
WE DISAGREE WITH THE SUBDIVISION BECAUSE
MANY THINGS IS WRONG WITH THE PARK

WATER PROBLEM UNDER MY HOME IS WET
YEAR ROUND, WATER STAND IN FRONT
ENTRANCE TO MY HOME,

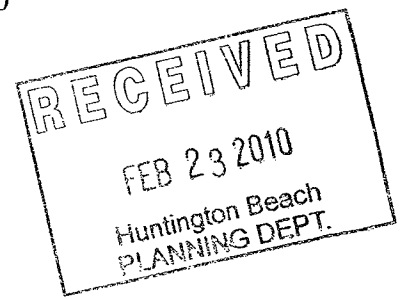
THE STREET IS NOT LEVELED, YOU CAN NOT
WALK, BECAUSE YOU WILL HAVE HURT AND YOU
MAY FALL,

MY HOME KEEP SINKING I HAVE TO LEVEL
IT AT LEAST 3 TIMES A YEAR.

James H Jordan
Floka H Jordan



Sharon Dana, Resident--Huntington Shorecliffs
20701 Beach Blvd. # 200
Huntington Beach, CA 92648
February 22, 2010



Ethan Edwards, Huntington Beach City Planner
200 Main Street
P.O. Box 190
Huntington Beach, Ca 92648

RE: Huntington Shorecliffs Mobile Home Park—Possible Oil Hazard

Dear Mr. Edwards,

It has come to my attention that there is a possible oil hazard within the proposed subdivision area of Huntington Shorecliffs Mobile Home Park. A map has come into my possession that shows the location of various oil drilling locations in the Huntington Shorecliffs location. One of the drilling locations is within the perimeters of the Huntington Shorecliffs Mobile Home Park. I have written the City before, in a letter dated September 17, 2009 regarding this issue.

Immediately after the Subdivision Meeting of September 9, a resident of Huntington Shorecliffs approached me and asked me if I knew whether or not the oil well that was drilled within Huntington Shorecliffs was capped off properly—legally and in such a manner that would prevent future leakage. I, myself, did not even know about any oil well drilled within the Park. So I requested more information. I was told that a map was available, and I asked for a copy.

I was given a copy of the enclosed map, showing oil wells drilled locally. The well in question is labeled "Mancro Prodn # 1—Sandra Lu—53-6200". Is the safe closure being given any attention? Also, when the lots come up for sale, what happens to the lots surrounding this well. Although this well is shown to be in the roadway, it is very unlikely that this well is drilled in a completely straight line downward. It is a possibility that this well angles out under lots that could be individually sold.

Under the subdivision, this is a matter that would become the responsibility of the Huntington Shorecliffs HOA. What guarantees of safety do residents have concerning how this well was capped off? Was this well filled with water before it was capped off? Is it contributing to the water issues and drainage issues the Park is experiencing?

The change of status that is being considered in Huntington Shorecliffs Mobile Home Park does not involve new construction. I was told that because new construction is not involved, there will be no inquiry into the status of this well, or how this well was capped. Does that mean that the City itself is not responsible to the senior and elderly residents for issues that concern their welfare and safety?

Thank you in advance for any help or information you can give me.

Very truly yours,

Sharon L. Dana
HOA Board Member--Huntington Shorecliffs
President—GSMOL Chapter 571
(714) 374-0082

CC:- Steve Bogart—Sr. Civil Engineer--Public Works Department

ATTACHMENT NO. 8.61

Sharon Dana
Huntington Shorecliffs
20701 Beach Blvd. # 200
Huntington Beach, CA 92648
September 17, 2009

Mr. Rami Talleh
Senior Planner, Dept. of Planning
City of Huntington Beach
200 Main Street
P.O. Box 190
Huntington Beach, Ca 92648

RE: Huntington Shorecliffs Mobile Home Park—Possible Oil Hazard

Dear Mr. Talleh,

It has come to my attention that there is a possible oil hazard within the proposed subdivision area of Huntington Shorecliffs Mobile Home Park. A map has come into my possession that shows the location of various oil drilling locations in the Huntington Shorecliffs location. One of the drilling locations is within the perimeters of the Huntington Shorecliffs Mobile Home Park.

Immediately after the Subdivision Meeting of September 9, a resident of Huntington Shorecliffs approached me and asked me if I knew whether or not the oil well that was drilled within Huntington Shorecliffs was capped off properly—legally and in such a manner that would prevent future leakage. I, myself, did not even know about any oil well drilled within the Park. So I requested more information. I was told that a map was available, and I asked for a copy.

I was given a copy of the enclosed map, showing oil wells drilled locally.

The well in question is labeled “Manco Prodn # 1—Sandralu—53-6200”. Do you have any information regarding the well in question? If not, who would I contact for such information?

Thank you in advance for any help or information you can give me.

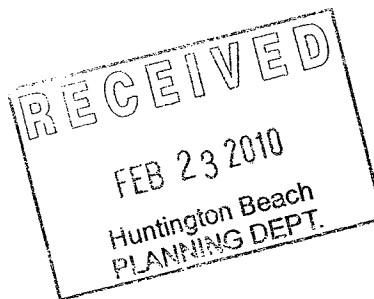
Very truly yours,

Sharon L. Dana
Director—HOA
President—GSMOL Chapter 571
(714) 374-0082

CC:- Steve Bogart—Sr. Civil Engineer
Public Works Department

ATTACHMENT NO. 8.62

Madeline J. Seymour
20701 Beach Blvd. #290
Huntington Beach, Ca. 92648



February 18, 2010

Mr. Ethan Edwards, Associate Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, Ca.

RE: Huntington Shorecliffs Sub-Division

Dear Mr. Edwards:

As you are aware there are 2 court cases pending in Superior Court of Orange County, one pertaining to the illegal termination of 117 leases, illegal rent raises, and the other failure to maintain. Why is the City entertaining this Sub-Division application before these cases are settled? If this or the first application are approved the persons purchasing their lots will become involved as another defendant in the failure to maintain lawsuit as it pertains to the land owners.

How does the City view this application not a change of use? Even if it stays a mobile home park, it will no longer be a park with for lease lots. The owner states that no one will be evicted. This statement is in now way correct. IF you can afford to stay you can pay their extremely high rent or loose your home. My home will be worth 0 if this change of use/application goes through. What is the definition of a mobile home park at the City level?

There are so many water problems in this park it boggles the mind. We have a City storm drain dumping into our park from approximately 10 City owned and maintained catch basins above the park on Frankfort and many other streets including the alley. We have oily water draining through our park, insecticides, animal feces, and pesticides including many other elements not healthy for anyone, let alone the elderly who reside in this park.

The owners think all our water problems can be solved with everyone installing rain gutters on their homes. 95% of the homes in this park already have rain gutters. These gutters do not create the water problem in this park.

The streets in this park are starting to crumble along the concrete drain in the center. This is due to water constantly seeping to the surface.

The infrastructure in this park is approaching 39 years. Do we have maintenance logs showing the care of this infrastructure? I don't know as we are not allowed to see these, if they exist. The homeowners will become responsible for the maintenance of this aging infrastructure. How unfair is it to purchase your lot and not know what kind of infrastructure problems will be occurring in the future? The current owners won't care as they will no longer be responsible for it. How convenient. Mr. Saunders, et al, purchased a mobile home park approximately 39 years of age. What have they done since purchasing this mobile home park as to the maintenance of the infrastructure? We have had fire hydrant problems flooding the streets with water and mud until those pipes could be repaired. This is just the start of the maintenance problems coming.

ATTACHMENT NO. 8.64

City of Huntington Beach
Mr. Ethan Edwards, Planner
February 28, 2010
Page 2

It has also come to our attention there is an abandon well at the North side of the park approximately in front of spaces 185 – 188. Has this well been capped correctly, was the well flooded with water before capping? Has the City investigated to make sure this well was capped according to code?

My home was flooded for the first time during the last rains due to neighboring properties not maintaining their driveways, and the elevation of that lot being above mine. I have installed concrete on this side of my home to ward off the water from this neighbor's overwatering, but the last rains were too much for the dirt area between the fence and concrete barrier so my home experienced flooding underneath. We are forced to live like this every day of every year. The owners won't do a thing; they are waiting for the sub-division to go through so they can put these maintenance problems onto the home owners, new land owners and tenants.

We live in sub-standard conditions, County Health Department refers us to the City of Huntington Beach, the City of Huntington Beach refers us to HCD, HCD refers us back to the City.

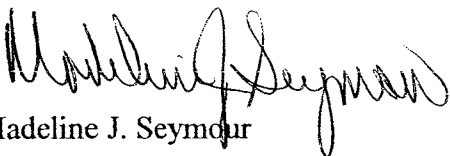
Do you know what it's like to not be able to go to a government agency and get some answers? Every one of the departments of all levels of government pertaining to the sub-standard conditions in this park has stated "sorry we can't help you, call *****".

If the City mandates the park owner to improve Beach Blvd. myself and everyone living in this park will pay for it. The current economic impact report submitted to the City and home owners in the park is way too low and actually a joke.

How can the City of Huntington Beach, in good conscience, pass this application and economically evict the senior citizens in this park?

This is a travesty. Please vote to deny all applications by this owner to convert this park from the use it was meant for.

Very truly yours,


Madeline J. Seymour

Mr. Ethan Edwards, Associate Planner
City of Huntington Beach
Sub-Division
February 22, 2010
Page 2

One of your conditions of the current application is the improvement of Beach Blvd. Who do you think is going to pay for this? We are, the residences of this park. The owner won't absorb this cost as part of doing business, the residences will be getting, yet another assessment. We have already had 2 property tax assessments since these owners purchased this park.

This is a senior park (55 years and older) and most of the people living here are on Social Security and/or Pensions and investments. The present owner says he is going to raise the monthly rent to \$1475 and/or above. This rent for some people is a raise of \$400 to \$600 a month. These rent raises will be enforce when the Department of Real Estate dose their final approval of this sub-division so what is the "market rent" going to be? The law states he must take 4 years to bring the rents to "market rent", but if that raise starts at \$1475 or above what is their "market rent" going to be? \$2000 a month? \$2500 a month?

Mr. Saunders, et al, are economically evicting everyone currently living in this park on fixed incomes. So the City of Huntington Beach will be known as the City against affordable housing for Seniors. I sure wouldn't want to be a part of that City government.

I moved into this park signing a contract to pay \$800 a month with small increases from time to time. I don't know what I will do when my rent goes through the roof. I can't move my home to another park as there are no spaces available. My home will be worth nothing if this sub-division goes through as I can't sell it. If I could sell my home right now I will be losing in excess of \$100,000 due to the current high rents. Again, another type of economic eviction to Seniors.

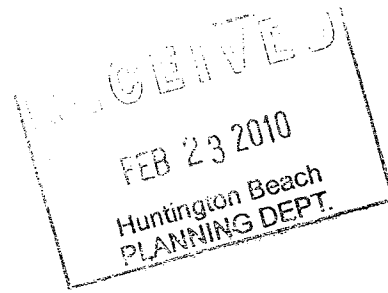
Please, I implore you to deny all applications for this sub-division.

Very truly yours,


William J. Seymour

February 20, 2010

City of Huntington Beach
2000 Main Street
Huntington Beach, Ca 92648



Attn: Ethan Edwards, City Planner

Dear Mr. Edwards,

This is regarding the request for subdivision of Huntington Shorecliffs Mobile Home Park.

I don't understand how this can even be considered with all of the following issues:

- The unresolved water drainage problems which allow water to stand for long periods of time under and around homes
- Storm drains that carry water from Frankfort Avenue through the mobile home park carrying pesticides, fertilizers, animal feces, trash, dirt and motor oil to the streets that are higher than the homes, thus trapping water under them
- This water problem is causing mold and mildew and is a health threat
- When these streets were put in, the pitch of them makes it almost impossible for the seniors to walk through their neighborhood without losing their balance and falling
- There are also lawsuits pending in court seeking resolution for these issues. When the current owners bought this park they were aware of these problems. Now they want to dump the responsibilities and problems on seniors with limited incomes. Doesn't this seem like a case of elder abuse?

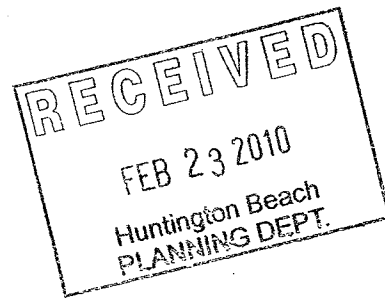
I would like for the city of Huntington Beach to consider their senior citizens and please reject the request for subdividing of Huntington Shorecliffs Mobile Home Park.

Respectfully,

Judie Smith
20701 Beach Blvd. #186
Huntington Beach, Ca 92648

February 20, 2010

City of Huntington Beach
2000 Main Street
Huntington Beach, Ca 92648



Attn: Ethan Edwards, City Planner

Dear Mr. Edwards,

This is regarding the request for subdivision of Huntington Shorecliffs Mobile Home Park.

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I would like for the city of Huntington Beach to consider their senior citizens and please reject the request for subdividing of Huntington Shorecliffs Mobile Home Park.

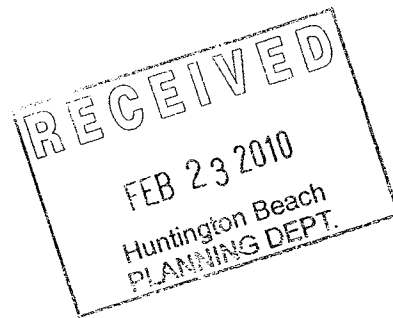
Respectfully,

Pamela Smith
20701 Beach Blvd. #186
Huntington Beach, Ca 92648

ATTACHMENT NO. 8.C8

February 20, 2010

City of Huntington Beach
2000 Main Street
Huntington Beach, Ca 92648



Attn: Ethan Edwards, City Planner

Dear Mr. Edwards,

This is regarding the request for subdivision of Huntington Shorecliffs Mobile Home Park.

I don't understand how this can even be considered with all of the following issues:

- The unresolved water drainage problems which allow water to stand for long periods of time under and around homes
- Storm drains that carry water from Frankfort Avenue through the mobile home park carrying pesticides, fertilizers, animal feces, trash, dirt and motor oil to the streets that are higher than the homes, thus trapping water under them
- This water problem is causing mold and mildew and is a health threat
- When these streets were put in, the pitch of them makes it almost impossible for the seniors to walk through their neighborhood without losing their balance and falling
- There are also lawsuits pending in court seeking resolution for these issues. When the current owners bought this park they were aware of these problems. Now they want to dump the responsibilities and problems on seniors with limited incomes. Doesn't this seem like a case of elder abuse?

I would like for the city of Huntington Beach to consider their senior citizens and please reject the request for subdividing of Huntington Shorecliffs Mobile Home Park.

Respectfully,

A handwritten signature in cursive script that reads "Dorothy Ellsworth".

Dorothy Ellsworth
20701 Beach Blvd. #186
Huntington Beach, Ca 92648

City of Huntington Beach
Planning Department
Planning Commissioners

2000 Main Street
Huntington Beach, CA 92648

Re: ITEM A-1, TENTATIVE PARCEL MAP NO. 17296 (HUNTINGTON SHORECLIFFS MOBILEHOME PARK CONVERSION)

Dear Planning Commissioners,

I am writing to you regarding the Item A-1 resubmittal by Hart, King and Coldren (HK&C) on behalf of the Park Owner for a Subdivision Request for the Huntington Shorecliffs Mobilehome Park to be presented at the February 23, 2010 Planning Commission meeting.

I have read the Staff Report and other City Reports, and the Request and documentation submitted by HK&C and Government Code Section 66427.5, upon which HK&C base their request.

This project is planned so that the Park Owner may get a maximum amount of money from the existing homeowners, and avoid any costs related to future maintenance, repairs or upgrades of common property. HK&C states that they will be in compliance with Government Code Section 66427.5 and that this proposal will in no way cause economic displacement of the existing homeowners.

I disagree. **This Subdivision Request is in deed, a Planned Contrived Economic Displacement of existing residents, and a form of Elder Abuse.** The Park Owner does not care if people cannot afford the costs that are being demanded. **These costs are calculated to be beyond the means of the majority of the residents.** The Park Owner knows exactly what the income is of the homeowners and is raising these costs accordingly. The homeowners are being threatened that if they do not agree with this Subdivision, they have no choice but to either pay the demands or quit (move)! This a Senior Park where the majority of the people are on fixed incomes and are currently only marginally able to pay their existing mortgages, rents and utilities with money left over for food, gas, medication, and necessities.

The following is based on the information submitted by HK&C:

Current estimate for Purchase: \$275,000 to \$385,000 for the lots:

Based on 6% interest, \$275,000 would mean \$1648.76 per month, plus the \$335 Assessment below, for a total of \$1983.76 per month. Tack this amount on top of the existing mortgage.

Based on 6% interest, \$385,000 would mean \$2308.27 per month, plus the \$335 Assessment below, for a total of \$2643.27 per month. Tack this amount on top of the existing mortgage.

Current estimate of potential monthly Assessment by HK&C:

Base: \$210 per Lot

Utility: \$80 per Lot

Reserve: \$45 per Lot

Total: \$335 per Lot per Month.

ATTACHMENT NO: 8.70

Current estimate of potential Market Rent for other than low income: \$1600 to \$1850 (plus utilities). Tack this amount on top of the existing mortgage.

This is not a pretty picture! This is DEADLY and OUTRAGEOUS! The Stress factor alone, will cause many elderly to become sick and die. This a very real effect caused by monetary problems among the elderly. They stop eating, cannot afford medications and lose the will to live.

Whatever will happen to those who still owe mortgages? About six to 12 months down the road, they will probably do as homeowners recently did in Huntington By The Sea Mobile Estates when the Park Owner raised the rents up beyond the homeowners' means....just walk away...and the Huntington Shorecliffs Park Owner (after he already received his payments for the lots) will just laugh his way to the bank. The mobile homes will have no resale value and the lender loses too. The Park Owner will probably just resell the lot and mobilehome, or move another one in its place.

The low income homeowners will not be able to keep up the new space rents and eat too. Some still owe mortgages. They will still have to pay the \$335 per month "Assessment." If this Subdivision ("Condo-izing") gets approved, it will quickly be spread to many of our Mobilehome Parks in Huntington Beach....and elsewhere in the State.

Please stop this attack on the only affordable housing left for Seniors and low income citizens. These are good law-abiding voting citizens.

Please deny this Request for Subdivision.

Sincerely,

Mary Jo Baretich, President

Cabrillo Wetland Village (aka. Cabrillo Mobile Home Park)
21752 Pacific Coast Hwy #23A
Huntington Beach, CA 92646

February 17, 2010

Ethan Edwards, City Planner
2000 Main St.
Huntington Beach, Ca. 42648

FEB 23 2010

Dear Ethan Edwards, City Planner,

This letter is in reference to the impending issue of subdivision in the Huntington Shorecliffs Mobile Home Park at 20701 Beach Blvd., Huntington Beach.

My wife and I are retired and have lived in this park for almost 12 years. We moved here with the intention of staying until we no longer can take care of ourselves.

There have been many problems in the park over the years, including water drainage problems due to in part drainage from surrounding city streets which are at a higher elevation and a high water table under the Park itself. We have weathered these problems and still desire to live here although the rent has risen considerably since we have been here which is understandable.

Now the present owner wants to subdivide the park, offering to sell the lots that our units sit on, for an enormous amount, that we are unable to afford and many residents feel the same way.

Being that we are in our mid-seventies, and only on Social Security and a small pension of \$250 per month, we are just keeping our heads above water financially as it is. The thought of moving at this time of our lives is very stressing, as we cannot afford any place in Huntington Beach and would be forced to move to another city or town in California or most likely out of state.

With this information in mind, we ask you to not recommend the subdivision of this park now or in the future.

Sincerely,



Ronald S. Bastien

19Feb2010

City of Huntington Beach

Ethan Edwards

City Planner

Department of Planning

2000 Main Street P.O. Box 190

Huntington Beach, CA 92648

FEB 23 2010

I'm writing in reference to Huntington Shorecliff subdivision of the park lots for sale.
Property address: 20701 Beach Blvd. HB 923648

I have written letters to Star Management informing them of the lack of proper drainage which causes flooding and standing water through out the lot and under my mobile home. The lack of proper drainage is causing the lot to sink and damage to my mobile home.(SP 157) I have sent Star Management five certified letters regarding the gas meter not being properly supported as well as the lack of proper drainage. I have pictures from last years and this current storm flooding of the lot my mobile home sets on.

I'm not the only resident in the park that has failure to maintain issues this is an on going problem through out the park. These issues have not been address at this time. According to Park Management electrical appliances cannot be installed without approval from management due to the electrical grinds condition. But no mention of repairing or replacing the outdated grid.

I don't feel a subdivision should be approved until the failure to maintain lawsuits are settled. This seems like a tactic by Star Management representing the owners not to spend money to make corrections and to force the subdivision even with the survey shows the residents did not want it.

What I have learned is when you buy a lot in a converted park you are NOT purchasing a lot in a Resident Owned Park . The owner still controls the park until at least 51% of the lots are sold. Instead of the stability of a resident owned park where everyone has equal stake in the outcome, a converted park could prove to be a hodgepodge of renters, owners and speculators. Instead of "all for one", it's "every man for himself"...I for one don't want to see this happen.

Upon doing some research I found that M. Cirillo and Star Management and park owners have judgements against them from San Fernando Valley and Mountain View mobile home park, and the closure of Conejo Mobile Home Park, the residents prevailed in their lawsuit against the owners and Cirillo.

Recent Court Ruling:

Judge Burdick agreed with Santa Cruz County that section 66427.5 required a local jurisdiction to consider the result of a resident support survey in determining to approve or reject a conversion application.

The court finds that Government Code section 66427.5, subsection (d) (5), is clear and unambiguous on its face, and states that the results of the required survey be considered by the local agency reviewing the application as part of the subdivision map hearing required by Government Code 66427.5(e). Based on this plain and clear language the Court finds that local agency considering a subdivision application under Government Code section 66427.5 is considered (i.e., take into account deliberate on, weigh, etc) the results of the resident survey in determining whether to approve, conditionally approve, or deny the application.

<http://articles.latimes.com/2009/jul/27/local/me-mobile27>

Fillmore City Council began with Closed Session conference with legal counsel regarding existing litigation, El Dorado Estates . City of Fillmore. The representative for El Dorado Mobile Home Park Estates is **Mike Cirillo** of Star Management. **Cirillo** filed an application on March 5, 2009 for a Vesting Tentative Tract Map. The application proposes to convert the existing 302-space park from a rental park into a resident-ownership park where park residents would be able to purchase the lot(s) their coach sits on. City staff has been working with **Cirillo** and the park's legal counsel, **Hart, King & Coldren (HK&C)**, in reviewing and processing the application in accordance with the Fillmore Municipal Code, the State Permit Streamlining Act, the State Subdivision Map Act, and the State's Mobilehome Parks Act. A Letter of Incompleteness, dated April 1, 2009, was sent to Star Management. Application was re-submitted on June 10, 2009, deemed incomplete on July 10, re-submitted July 23, deemed incomplete on August 19th. An Appeal of Incompleteness to Planning Commission was filed on September 2, decision was made to uphold City Staff's "incomplete" determination on October 21, 2009. A request on behalf of Star Management was filed on October 22 to appeal the Planning Commission's decision to city council. An Appeal of Determination of Incompleteness, presented Tuesday night by **HK&C partner Mark Alpert**, covered five "incomplete items": Offer to purchase, with estimated price and estimated space rent; 60 day required Notice; Demand for 43 new parking spaces under Fillmore Code; Property Right "Peer Reviewed" by certified inspector; and FEMA map and flood calculations.

Alpert, representing El Dorado Mobile Park (owner Nancy Watkins), refuted each "incomplete item" citing case law (Sequoia case), lack of city authority, and pre-empting of local ordinance. According to **Alpert**, the April 1st Letter of Incompleteness did not expressly state Star Management's application was "incomplete". He also stressed that El Dorado residents were advised about the option-to-buy, and that a tenant impact report will be served on residents at least 15-days before hearing. **Alpert** stated that since his client is not an apartment building, etc., they are not subject to several of the city's demands. And that the city has no authority to require an inspection of any kind regarding the "so called Peer Review

Inspection Report,” but added that the inspector was licensed, a statement that was refuted by city staff, who said they spoke with the inspector directly. He said that although he retains several certifications, he is not a licensed building inspector. The point may be lessened by the fact that only one permanent common structure is involved in the inspection, the park’s clubhouse.

Alpert continued to build his case for reversal of the Fillmore Planning Commission’s requirements by stating additional parking spaces are “impossible, it’s functional now.” He emphasized that a condo-conversion is not a new project, and therefore not subject to the same stringent guidelines, using the 43 parking space requirement as an example. **Alpert** stated the items of incompleteness present “no real purpose, no interest to serve or advance... an effort to slow down the process” or as he put it several times, “kicking the can down the road to delay.”

Alpert said that park residents, the park owner and the city gain nothing by the demands, and suggested the Fillmore Planning Commission reverse their requirements.

Attorney Charmaine Hilton Buehner, an associate with Myers, Widders, Gibson, Jones & Schneider, said **HK&C** had sent an 85-page fax to the city Tuesday morning with additional arguments. City Planning Assistant Veronica Ortiz-De Anda said the city is given a “broad brush” for strict regulations concerning FEMA’s Flood Plane Management Requirements. The city of Fillmore is constrained by federal law and acts, she said, which preempt state law and requirements, and Fillmore Municipal codes.

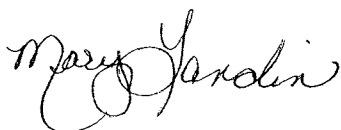
El Dorado resident Alan Hair stated that Star Management “has a different Pitbull in attendance tonight.” He said they “spout law when it serves their purpose. When it comes to obeying laws they look the other way. They have lied to the citizens of Fillmore. Please vote NO on this appeal.”

El Dorado resident Paul Schifanelli, Vice President of Voice of El Dorado Mobilehome Association, said that a “majority condo conversion at this time would be devastating”. Schifanelli said much of the original infrastructure is over 30-years old and condo conversion is not practical, also citing escalating condo dues and expenses. He reminded council that the park consists of elderly tenants and that “age and debt” would burden them. He said the Association had invited park owner Nancy Watkins and Cirillo to HOA meetings, with no response. “We simply desire fair leases and fair stabilized rent, and a maintained park.” Schifanelli added that no 1-5 year leases have been offered, and asked the city to insist the park owner does their share.

Mayor Walker expressed that council is “duty bound to protect the health and safety of our citizens.” Council member Jamey Brooks asked that two items be added to the application; New Map Subdivision 10-26, and Evidence Residential Impact report. Motion to uphold City Staff’s Application Deemed Incomplete, plus modifications articulated by Brooks, passed, 5-0.

This is the same pattern that we are experiencing here at Huntington Shorecliff.

Mary Landin
SPC 157
Huntington Shorecliffs



ATTACHMENT NO. 8.75

**SUBDIVISION COMMITTEE
MINUTES**

DRAFT

February 25, 2010
Room B-7, Civic Center
4:00 P.M.

DRAFT

Subdivision Committee Planning Commissioners Present: Chair Blair Farley, Commissioner John Scandura, Commissioner Elizabeth Shier Burnett

Subdivision Committee Staff Members Present: Scott Hess, Chief Bill Reardon, Tony Olmos

Staff Present: Herb Fauland, Debbie DeBow, Steve Bogart, Darin Maresh,

Applicant Present: Boyd Hill, Robert Coldren

TENTATIVE TRACT MAP NO. 17296 (HUNTINGTON SHORECLIFF MOBILEHOME PARK CONVERSION)

APPLICANT: Boyd Hill, Hart, King & Coldren, 200 Sandpointe, Fourth Floor, Santa Ana, CA 92707

SUBDIVIDER: Shorecliff LP; Stadium, LLC; Huntington BSC Park, LP; Shorecliff Main, LP, c/o Mike Cirillo, Star Management, 1400 E. Fourth Street, Santa Ana, CA 92701

ENGINEER: R.T. Quinn & Associates, 1907 Border Avenue, Torrance, CA 90501

REQUEST: To subdivide the Huntington Shorecliffs Mobilehome Park, approximately 39.2 acres, into 304 numbered lots and 33 lettered lots for purposes of converting an existing 304 space for-rent mobilehome park for ownership purposes.

Public Works Department, Fire Department, and Planning Department Comments:

SUGGESTED CONDITIONS OF APPROVAL – TENTATIVE TRACT MAP NO. 17296:

1. The Tentative Tract Map No. 17296 for Subdivision of an existing mobile home park received and dated September 18, 2008 shall be the approved layout with the following modifications:
 - a. The maximum number of lots created by the subdivision shall not exceed the total number mobile home units (304) approved for the site by the California Department of Housing and Community Development.
 - b. A landscaped planter between the perimeter fencing and public sidewalk improvements along Beach Boulevard shall be provided.

ATTACHMENT NO. 9.0

2. Prior to submittal of the final tract map to the Public Works Department for processing and approval, the following shall be required:
 - a. The subdivider shall obtain necessary permits from the California Department of Housing and Community Development (HCD) to re-identify the lots if determined necessary.
 - b. The Subdivider shall demonstrate to HCD compliance with all applicable provisions of Title 25 pertaining to setbacks. If the mobile home park is deficient in compliance with the applicable setbacks, the subdivider shall obtain all necessary applicable alternate approvals from HCD.
 - c. A Project Water Quality Management Plan (WQMP) conforming to the current Waste Discharge Requirements Permit for the County of Orange (Order No. R8-2009-0030) prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance. The WQMP shall address all current surface water quality issues.
 - d. The subdivider shall refer to the California Department of Housing and Community Development (HCD) for domestic and irrigation water metering requirements.
 - e. The required Hydrology and Hydraulic Analysis for the subject project shall analyze 10, 25, and 100-year storms and back-to-back storms. In addition, this study shall include 24-hour peak back-to-back 100-year storms for onsite detention analysis. Any drainage improvements required by the aforementioned analysis shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development or deficient downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency.
3. The subdivider shall offer each existing tenant an option to either purchase his or her subdivided unit, which is to be created by the conversion of the park to resident ownership, or to continue residency as a tenant. (Subdivision Map Act Section 66427.5)
4. The subdivider shall be required to avoid the economic displacement of all non-purchasing residents in accordance with the following:
 - a. As to non-purchasing residents who are not lower income households, the monthly rent, including any applicable fees or charges for use of any pre-conversion amenities, may increase from the pre-conversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period. (Subdivision Map Act Section 66427.5)
 - b. As to non-purchasing residents who are lower income households, the monthly rent, including any applicable fees or charges for use of any pre-conversion amenities, may increase from the pre-conversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period. (Subdivision Map Act Section 66427.5)

5. Prior to the recordation of a final tract map, the following shall be required:

- a. Encroachment permits for work within the Caltrans' right-of-way (for construction of sidewalks, driveways, water connections, etc.) shall be obtained by the applicant or contractor from Caltrans prior to start of work. A copy of each permit, traffic control plans, environmental review and other permission granted by Caltrans shall be transmitted to Public Works.
- b. The applicant shall provide an analysis of the existing onsite sanitary sewer system. If any improvements are required per said analysis, they shall be constructed and comply with all associated requirements of HCD.
- c. The required Improvement Plan for the subject project shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - i) Existing AC curb along the Beach Boulevard frontage shall be removed and replaced with curb and gutter per Public Works Standard Plan No. 202 and per Caltrans requirements. (ZSO 255.04 and SMA 66428.1(d))
 - ii) Six (6) foot wide sidewalk and a nine (9) foot wide curb adjacent landscaped parkway along the Beach Boulevard frontage shall be constructed per Public Works Standard Plan No. 207. This required sidewalk shall be constructed to accommodate or modify the adjacent earthen storm drain channel to convey the 100-year flood and supporting hydrologic and hydraulic calculations, compliant with County of Orange and City design criteria shall be submitted to the Department of Public Works for review and approval. (ZSO 255.04 and SMA 66428.1(d))
 - iii) ADA compliant access ramps shall be installed on the Beach Boulevard frontage (where the new sidewalk will intersect with the existing driveway entrance to the park) per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
 - iv) Street lights shall be installed along the Beach Boulevard project frontage. Lighting standards shall be per City of Huntington Beach guidelines. (ZSO 255.04)
 - v) ADA compliant access ramps shall be installed on the easterly curb returns on Delaware Street at Mermaid Lane per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
 - vi) An ADA compliant access ramp shall be installed on the southeast corner of Delaware Street and Frankfort Avenue per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
 - vii) An ADA compliant access ramp shall be installed on the southeast corner of Delaware Street and Frankfort Avenue per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))

- viii) ADA compliant access ramps shall be installed on the south curb returns of Frankfort Avenue at Shorecliff Drive (at the subject site's northerly entrance) per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- ix) An ADA compliant access ramp shall be installed on Frankfort Avenue where it intersects Hill Street per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- x) Damaged curb and gutter along the Frankfort Avenue frontage (at Hill Street) shall be removed and replaced per Public Works Standard Plan No. 202. (ZSO 255.04 and SMA 66428.1(d))
- xi) The existing 8-inch backflow device configuration is non-conforming placing the City's water supply at risk of potential contamination. As a result of health and safety concerns, the subdivider shall reconstruct or replace the existing backflow device to comply with current Water Standards. (Resolution 5921, Title 17 State Regulation, SMA 66411.5(a), and SMA 66428.1(d))
- xii) An onsite storm drain shall be designed per the final approved hydrology and hydraulics study, City Standards and per the City adopted 2005 Master Plan of Drainage. The storm drain system located within private streets shall be private and maintained by the Homeowner's Association. A soils report, prepared by a Licensed Engineer shall be submitted for reference only. (ZSO 255.04A)

All required landscape planting and irrigation shall be installed, inspected and approved by the City Landscape Architect/Inspector.

Subdivision Committee Member Comments:

Herb Fauland, Planning Manager, stated the purpose, location, zoning, and existing use of the subject site. He presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the attachments.

Steve Bogart, Principal Civil Engineer, reviewed the Public Works Department recommended conditions of approval.

Rob Coldren, applicant, asked staff if Condition No. 2c is state mandated. Mr. Olmos confirmed that it is a requirement under the National Pollutant Discharge Elimination System permit. Mr. Coldren asked for clarification on whether the run off should be accumulated and delivered to an underground line on the property or outside of the property. Mr. Olmos reviewed the recommendations from the 2005 Master Plan of Drainage which specify a pipeline system running through the property. Mr. Coldren asked if that system was intended to handle run off from Delaware Street or the Mobilehome Park. Mr. Olmos stated that the pipeline should accommodate run off from both sites.

Mr. Coldren asked staff for clarification on Condition No. 5a. Mr. Olmos stated that any work in the Caltrans right-of-way requires permits from Caltrans and specified the location of the right-of-way in relation to the site. Mr. Coldren asked if the block wall which separates the park from

Beach Boulevard is located in the right-of-way and Mr. Olmos stated that GIS indicates that the block wall is not in the right-of-way. Mr. Coldren asked staff to provide Caltrans contact information to address this and staff agreed.

Mr. Coldren asked if staff had received complaints regarding the onsite sewage system beyond the letter prompted by the original application. Mr. Bogart stated that he was unsure. Mr. Olmos noted that staff has not tested the sewage system and was relying on comments from the residents of the park. Mr. Coldren stated that he is unaware of any sewage problems onsite and did not have any cause for a sewage analysis. Mr. Olmos stated that staff would need to review California Department of Housing and Community Development (HCD) records for complaints.

Mr. Coldren asked if the Americans with Disabilities Act (ADA) improvements are triggered by the subdivision itself or if it the improvements required for subdivision trigger the ADA compliance. Mr. Olmos stated that ADA improvements included under health and safety provision in the Subdivision Map Act (66428.1d).

Mr. Coldren asked if staff had notified the applicant prior to this request about any of the issues raised in the conditions of approval and stated that he had not previously been made aware of any ADA compliance issues. Mr. Olmos stated that for projects it is standard protocol to review and address ADA compliance whenever an area is being improved. He noted that the drainage deficiency was addressed in the Master Plan of Drainage. Mr. Coldren stated that he had not been made aware of any of these concerns or of the Master Plan of Drainage prior to the subdivision request. Mr. Olmos stated that these improvements are triggered by the subdivision request.

Mr. Coldren stated that there is a misconception that the subdivision will raise rental fees at the site and noted that after the sale of the first lot the site will voluntarily be subject to state wide rent control.

Boyd Hill, applicant, asked staff for an estimate of how much water currently drains through the pipe at Frankfurt. Mr. Olmos stated that it is approximately 14 cubic ft. per second. Mr. Hill asked for an estimate of how much of that water would be run off from the park. Mr. Olmos stated that he did not know. Mr. Hill asked if there had been an analysis of how much of the sidewalk usage would be park residents and how much would be the general public. Mr. Olmos stated that no analysis had been completed but that he could consult with Public Works Traffic staff on that subject.

Commissioner Scandura asked for clarification on whether the onsite sanitary sewer system addressed in Condition No. 5b is the system that conveys sewage and rain water from the units. Mr. Olmos stated that there are separate systems so only the sanitary sewage system is being addressed in that condition.

Chair Farley asked if the drainage system being discussed involves the onsite rainwater drainage that residents have expressed concern about in previous hearings. Mr. Olmos stated that the onsite rain water drainage system was not addressed in the Master Plan of Drainage and therefore is not addressed in these conditions. Chair Farley asked if the onsite rain water drainage and the lot pad heights would be addressed if the site were undeveloped prior to subdivision. Mr. Olmos confirmed this, noting that a grading plan and a plan check for utilities would have been required. Chair Farley asked why those issues were not currently addressed as health and safety concerns.

Mr. Olmos stated that staff was requesting that an analysis be performed to see what might be done to address the drainage issues. Commissioner Scandura asked if a hydrology study would address those concerns. Mr. Olmos stated that it would be addressed in the pipeline engineering analysis.

Mr. Fauland reviewed modifications to the Planning and Building Department recommended conditions of approval. He recommended that Condition Nos. 1a and 1b be stricken. Mr. Olmos stated that Condition No. 1b would require erosion control and Mr. Fauland asked that Public Works staff provide wording for a condition on erosion control. Mr. Fauland recommended that Condition Nos. 2a, 2b, and 2d be stricken. Mr. Hess noted that Condition Nos. 2a and 2b are required by state law and had been included for information purposes. Commissioner Scandura stated that it might be best to retain Condition No. 2d for clarification. Mr. Coldren stated that Condition No. 2d was unnecessary and caused preemption issues due to state law already addressing the issue. Chair Farley asked if the meters would be city meters. Mr. Olmos stated that the site had a private water system and that only the pipe going into the site would be monitored by the city.

Mr. Fauland stated that staff would be recommending minor modifications to Condition Nos. 4a and 4b to clarify that the four year period commences at the time of recordation of the final map. He stated that staff also recommended that the standard indemnification and hold harmless condition be included.

Chair Farley asked for clarification on the amenities referenced in Condition No. 4b and whether the cost of the site improvements could be passed on to the low income residents at a higher rate. Mr. Fauland stated that the language of this condition is verbatim from the Subdivision Map Act and that it is at the discretion of the Subdivision Committee or the Planning Commission to add clarity. Chair Farley stated that he would like more protection for low income residents on this matter but stated that the matter could be addressed at the Planning Commission meeting

Developer Comments:

Mr. Coldren stated that he supported eliminating Condition Nos. 1a, 1b, 2a, 2b, and 2d. He stated that the original application was submitted for 309 spaces due to a mistaken belief that the HCD permit was issued for that number of spaces. Mr. Coldren asked staff to eliminate Condition No. 3 as it mirrors state law and is therefore unnecessary. Mr. Coldren asked for clarification on the city's position on whether that Government Code Section 66427.5 allows for conditions not stated within the section and if the city believes it has the opportunity to consider the results of the resident's survey in considering its approval of the subdivision map. He stated that he felt all of the recommended conditions of approval violate Government Code Section 66427.5.

Mr. Olmos asked Mr. Coldren if he had reviewed section 66428.1 and Mr. Coldren confirmed that he had. Mr. Hess asked Mr. Coldren what assurance the city would have of improvements being made without having those improvements conditioned. Mr. Coldren stated that the property owner could enter into a contract with the city, the owner could donate money to the city for the requested analyses, or that the conditions of approval could be modified to be agreeable to all participants.

Mr. Hess asked Mr. Coldren what guarantees the residents of the park had that the property owner would adhere to the limits on rental fee increases if it is not a condition of approval. Mr.

Coldren stated that the property owner might be willing to negotiate an agreement with the city but that he would need to verify that. Mr. Coldren stated that the subdivision will not force the residents to purchase their sites but will merely provide the opportunity to do so and clarified that there would be indefinite rental control for the low income residents and that the four year adjustment would apply to the remaining residents. Chair Farley asked what the rental rate is for the site. Mr. Coldren stated that there are several rates and agreed to provide that information to the commission.

A MOTION WAS MADE BY JOHN SCANDURA, SECONDED BY SCOTT HESS, TO RECOMMEND APPROVAL OF THE TENTATIVE MAP NO. 17296 WITH THE FOLLOWING MODIFIED CONDITIONS AND FORWARD TO THE PLANNING COMMISSION. (5-1; FARLEY VOTING NO).

SUGGESTED CONDITIONS OF APPROVAL – TENTATIVE TRACT MAP NO. 17296:

1. The Tentative Tract Map No. 17296 for Subdivision of an existing 304 space mobile home park received and dated January 22, 2010 shall be the approved layout.
2. Prior to submittal of the final tract map to the Public Works Department for processing and approval, the following shall be required **(PW)**:
 - a. An onsite storm drain shall be designed per the final approved hydrology and hydraulics study, City Standards and per the City adopted 2005 Master Plan of Drainage. The storm drain system located within private streets shall be private and maintained by the Homeowner's Association. A soils report, prepared by a Licensed Engineer shall be submitted for reference only. A Project Water Quality Management Plan (WQMP) conforming to the current Waste Discharge Requirements Permit for the County of Orange (Order No. R8-2009-0030) prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance. The WQMP shall address all current surface water quality issues. (ZSO 255.04A) **(PW)**
 - b. The subdivider shall refer to the California Department of Housing and Community Development (HCD) for domestic and irrigation water metering requirements. **(PW)**
 - c. The required Hydrology and Hydraulic Analysis for the subject project shall analyze 10, 25, and 100-year storms and back-to-back storms. In addition, this study shall include 24-hour peak back-to-back 100-year storms for onsite detention analysis. Any drainage improvements required by the aforementioned analysis shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development or deficient downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency. **(PW)**
3. The subdivider shall offer each existing tenant an option to either purchase his or her subdivided unit, which is to be created by the conversion of the park to resident ownership, or to continue residency as a tenant. (Subdivision Map Act Section 66427.5) **(PL)**

4. The subdivider shall be required to avoid the economic displacement of all non-purchasing residents in accordance with the following **(PL)**:
 - a. As to non-purchasing residents who are not lower income households, the monthly rent, including any applicable fees or charges for use of any pre-conversion amenities, may increase from the pre-conversion (commencing at the time of final map recordation) rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period. (Subdivision Map Act Section 66427.5)
 - b. As to non-purchasing residents who are lower income households, the monthly rent, including any applicable fees or charges for use of any pre-conversion amenities, may increase from the pre-conversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion (commencing at the time of final map recordation), except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period. (Subdivision Map Act Section 66427.5)
5. Prior to the recordation of a final tract map, the following shall be required:
 - a. Encroachment permits for work within the Caltrans' right-of-way (for construction of sidewalks, driveways, water connections, etc.) shall be obtained by the applicant or contractor from Caltrans prior to start of work. A copy of each permit, traffic control plans, environmental review and other permission granted by Caltrans shall be transmitted to Public Works. **(PW)**
 - b. Submittal of an Improvement Plan for the subject project shall comply with Public Works plan preparation guidelines and include the following improvements on the plan **(PW)**:
 - i) Existing AC curb along the Beach Boulevard frontage shall be removed and replaced with curb and gutter per Public Works Standard Plan No. 202 and per Caltrans requirements. (ZSO 255.04 and SMA 66428.1(d))
 - ii) Six (6) foot wide sidewalk and a nine (9) foot wide curb adjacent landscaped parkway along the Beach Boulevard frontage shall be constructed per Public Works Standard Plan No. 207. This required sidewalk shall be constructed to accommodate or modify the adjacent earthen storm drain channel to convey the 100-year flood and supporting hydrologic and hydraulic calculations, compliant with County of Orange and City design criteria shall be submitted to the Department of Public Works for review and approval. (ZSO 255.04 and SMA 66428.1(d))
 - iii) Americans with Disabilities Act (ADA) compliant access ramps shall be installed on the Beach Boulevard frontage (where the new sidewalk will intersect with the existing driveway entrance to the park) per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
 - iv) Erosion control measures (via vegetative ground cover) shall be planted along the slope between the newly required sidewalk per Condition of

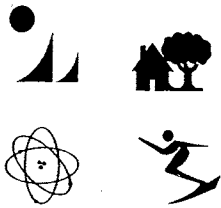
Approval 5.b.ii and the existing block wall along the project's Beach Boulevard frontage.

- v) ADA compliant access ramps shall be installed on the easterly curb returns on Delaware Street at Mermaid Lane per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- vi) An ADA compliant access ramp shall be installed on the southeast corner of Delaware Street and Frankfort Avenue per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- vii) An ADA compliant access ramp shall be installed on the southeast corner of Delaware Street and Frankfort Avenue per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- viii) ADA compliant access ramps shall be installed on the south curb returns of Frankfort Avenue at Shorecliff Drive (at the subject site's northerly entrance) per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- ix) An ADA compliant access ramp shall be installed on Frankfort Avenue where it intersects Hill Street per Caltrans Standard Plan A88A. (ZSO 255.04, ADA and SMA 66428.1(d))
- x) Damaged curb and gutter along the Frankfort Avenue frontage (at Hill Street) shall be removed and replaced per Public Works Standard Plan No. 202. (ZSO 255.04 and SMA 66428.1(d))
- xi) The existing 8-inch backflow device configuration is non-conforming placing the City's water supply at risk of potential contamination. As a result of health and safety concerns, the subdivider shall reconstruct or replace the existing backflow device to comply with current Water Standards. (Resolution 5921, Title 17 State Regulation, SMA 66411.5(a), and SMA 66428.1(d))

6. All required landscape planting and irrigation shall be installed, inspected and approved by the City Landscape Architect/Inspector. (PW)

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

March 3, 2010

Boyd Hill
Hart, King & Coldren
200 Sandpointe, Fourth Floor
Santa Ana, CA 92707

**SUBJECT: TENTATIVE TRACT MAP NO. 17269 (HUNTINGTON SHORECLIFFS
SUBDIVISION) – CODE REQUIREMENTS (REVISED)**

Dear Mr. Hill,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation should the Planning Commission approve your project.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission if the project is approved. Please note that if the design of your project or site conditions change, the list may also change.

The Planning Director has interpreted the relevant Sections of the Zoning and Subdivision Ordinance to require that your project satisfy the following development standards. If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-536-5561 or at ethan.edwards@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards
Associate Planner

Enclosure

cc: Mike Vigliotta, Deputy City Attorney
Gerald Caraig, Building and Safety Department – 714-374-1575
Darin Maresh, Fire Department – 714-536-5531
Steve Bogart, Public Works – 714-536-1692
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Shorecliff, LP, c/o Mike Cirillo, Star Management, 1400 E Fourth Street, Santa Ana, CA 92701
Project File

ATTACHMENT NO. 10.0



**CITY OF HUNTINGTON BEACH
PLANNING and BUILDING DEPARTMENT
REVISED PROJECT IMPLEMENTATION CODE
REQUIREMENTS**

DATE: March 3, 2010

PROJECT NAME: HUNTINGTON SHORECLIFFS MOBILEHOME SUBDIVISION

ENTITLEMENTS: PLANNING APPLICATION NO. 08-0190; TENTATIVE TRACT MAP NO. 17296

PROJECT LOCATION: 20701 BEACH BLVD., 92648 (WEST SIDE OF BEACH BLVD., SOUTH OF INDIANAPOLIS AVE.)

PROJECT PLANNER: Ethan Edwards, Associate Planner

TELEPHONE/E-MAIL: (714) 536-5561/ ethan.edwards@surfcity-hb.org

PROJECT DESCRIPTION: **TO CONVERT THE HUNTINGTON SHORECLIFFS MOBILEHOME PARK FROM RENTAL UNITS TO INDIVIDUAL OWNERSHIP.**

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated January 22, 2010. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

1. Prior to submittal of the final tract map to the Public Works Department for processing and approval, the following shall be required:
 - a. At least 90 days before City Council action on the final map, CC&Rs shall be submitted to the Planning Department and approved by the City Attorney. The CC&Rs shall identify the common driveway access easements, and maintenance of all walls and common landscape areas by the Homeowners' Association. The CC&Rs must be in recordable form prior to recordation of the map. **(HBZSO Section 253.12.H)**
 - b. Final tract map review fees shall be paid, pursuant to the fee schedule adopted by resolution of the City Council (*City of Huntington Beach Planning Department Fee Schedule*). **(HBZSO Section 250.16)**
2. The final map shall be recorded with the County of Orange prior to conversion of the mobilehome park. **(HBZSO Section 253.22)**
3. The Departments of Planning, Public Works and Fire shall be responsible for ensuring compliance with all conditions of approval herein as noted after each condition. The Planning Director and Public Works Director shall be notified in writing if any changes to the tract map are proposed during the plan check process. If the proposed changes are of a substantial nature, an amendment to the

original entitlement reviewed by the Planning Commission may be required pursuant to the HBZSO. **(HBZSO Section 251.18)**

4. Tentative Tract Map No. 17296 shall not become effective until the ten calendar day appeal period has elapsed Planning Commission approval. **(HBZSO Section 248.16)**
5. Tentative Tract Map No. 17296 shall become null and void unless exercised within two (2) years of the date of final approval. An extension of time may be granted by the Director of Planning pursuant to a written request submitted to the Planning Department a minimum 60 days prior to the expiration date. **(HBZSO Section 251.14 & 16)**
6. The applicant shall submit a check in the amount of \$50 for the posting of a Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's action.



HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MARCH 3, 2010
PROJECT NAME: HUNTINGTON SHORECLIFFS MOBILE HOME PARK
ENTITLEMENTS: TENTATIVE TRACT MAP 17296
PLNG APPLICATION NO. 2010-0023
DATE OF PLANS: JANUARY 22, 2010
PROJECT LOCATION: 20701 BEACH BLVD
PROJECT PLANNER ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG
PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL: 714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO CONVERT THE HUNTINGTON SHORECLIFFS MOBILE HOME PARK FROM RENTAL UNITS TO INDIVIDUAL OWNERSHIP.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING CONDITIONS ARE REQUIRED TO BE COMPLETED PRIOR TO SUBMITTAL OF THE FINAL TRACT MAP TO THE CITY FOR REVIEW:

1. A Hydrology and Hydraulic Analysis, in accord with Suggested Condition of Approval 2.c, for existing site drainage and tributary upstream drainage shall be submitted for Public Works review and approval. (ZSO 255.12)
2. A Project Water Quality Management Plan (WQMP) conforming to the current Waste Discharge Requirements Permit for the County of Orange (Order No. R8-2009-0030) prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance. The WQMP shall address all current surface water quality issues. (NPDES)

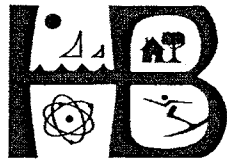
**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
RECORDATION OF THE FINAL TRACT MAP:**

1. The Tentative Tract Map received and dated January 22, 2009 shall be the approved layout.
2. The Final Tract Map shall be submitted to the City of Huntington Beach Public Works Department for review and approval and shall include a title report to indicate the fee title owner(s) as shown on a title report for the subject properties. The title report shall not be more than six (6) weeks old at the time of submittal of the Final Parcel Map.
3. The Final Tract Map shall be consistent with the approved Tentative Tract Map. (ZSO 253.14)
4. A reproducible Mylar copy and a print of the recorded final tract map shall be submitted to the Department of Public Works at the time of recordation.
5. The engineer or surveyor preparing the final map shall comply with Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18 for the following item:
 - a. Tie the boundary of the map into the Horizontal Control System established by the County Surveyor.
 - b. Provide a digital-graphics file of said map to the County of Orange.
6. Provide a digital-graphics file of said map to the City per the following design criteria:
 - c. Design Specification:
 - i. Digital data shall be full size (1:1) and in compliance with the California coordinate system – STATEPLANE Zone 6 (Lambert Conformal Conic projection), NAD 83 datum in accordance with the County of Orange Ordinance 3809.
 - ii. Digital data shall have double precision accuracy (up to fifteen significant digits).
 - iii. Digital data shall have units in US FEET.
 - iv. A separate drawing file shall be submitted for each individual sheet.
 - v. Digital data shall be in compliance with the Huntington Beach Standard Sheets, drawing names, pen color and layering conventions.
 - vi. Feature compilation shall include, but shall not be limited to: Assessor's Parcel Numbers (APN), street addresses and street names with suffix.
 - d. File Format and Media Specification:
 - i. Shall be in compliance with one of the following file formats (AutoCAD DWG format preferred):
 - AutoCAD (version 2000, release 4) drawing file: _____.DWG
 - Drawing Interchange file: _____.DXF
 - ii. Shall be in compliance with the following media type:
 - CD Recordable (CD-R) 650 Megabytes
7. Improvement Plans, in accord with Suggested Condition of Approval 5.a, shall be prepared by a Licensed Civil Engineer and shall be submitted to the Public Works Department for review and approval. The engineer shall submit cost estimates for determining bond amounts. (ZSO 255.12)

ATTACHMENT NO. 10.4

- a. All improvement securities (Faithful Performance, Labor & Material and Monument Bonds) and Subdivision Agreement shall be posted with the Public Works Department and approved as to form by the City Attorney. (ZSO 255.16)
 - b. A Certificate of Insurance shall be filed with the Public Works Department and approved as to form by the City Attorney. (ZSO 253.12K)
 - c. If the Final Tract map is recorded before the required improvements are completed, a Subdivision Agreement may be substituted for construction in accordance with the provisions of the Subdivision Map Act. (SMA)
8. All applicable Public Works fees shall be paid. Fees shall be calculated based on the currently approved rate at the time of payment unless otherwise stated. (ZSO 250.16)
9. A Drainage Fee for the subject subdivision shall be paid at the rate applicable prior to recordation of the Final Tract Map. The current rate of \$13,880 per gross acre is subject to periodic adjustments. This project consists of 41.223 gross acres (including its tributary area portions along the half street frontages) for a total required drainage fee of \$572,175. City records indicate the current use on the subject property has never paid this required fee. Per provisions of the City Municipal Code, this one time fee shall be paid for all subdivisions or development of land. (MC 14.48) In lieu of the payment of the aforementioned Drainage Fee \$572,175, Public Works will accept the construction of the on-site master planned facilities per the City of Huntington Beach, Municipal Code Section 14.48.030.
10. Any work within the Caltrans right-of-way (in accord with Suggested Conditions of Approval 5.a.i through 5.a.iv) requires an Encroachment permit which shall be obtained by the applicant or contractor from Caltrans prior to start of work. A copy of each permit, traffic control plans, environmental review and other permission granted by Caltrans shall be transmitted to Public Works.

ATTACHMENT NO. 10.5



CITY OF HUNTINGTON BEACH
FIRE DEPARTMENT
PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: February 29, 2010
PROJECT NAME: HUNTINGTON SHORECLIFF MOBILEHOME SUBDIVISION
ENTITLEMENTS: PLANNING APPLICATION NO. 08-190: TENTATIVE TRACT MAP NO. 17296
PROJECT LOCATION: 20701 BEACH BLVD., HUNTINGTON BEACH, CA
PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE / E-MAIL: (714) 536-5561/ Ethan.Edwards@surfcity-hb.org
PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: 714.536.5531 / dmaresh@surfcity-hb-org
PROJECT DESCRIPTION: TO CONVERT THE HUNTINGTON SHORECLIFF MOBILE HOME PARK FROM RENTAL UNITS TO INDIVIDUAL OWNERSHIP

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated January 22, 2010. The list is intended to assist the applicant by identifying existing requirements which must be verified to be in compliance and satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer - Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

Tract Map No. 17296 for the subdivision of the Huntington Shorecliffs Mobile home park for purposes, of converting an existing 304-space for-rent mobile home park for ownership purposes shall maintain compliance with the following City of Huntington Beach Fire Code requirements and applicable City Specifications:

1. **HBFC Section 508.1 Required water supply** - Fire hydrants and water supply systems. This Fire Code regulation is based upon requirements set forth in Title 25 California Code of Regulations, Chapter 2, Subchapter I. Article 6-Fire Protection Standards for Parks (this can be found at www.hcd.ca.gov/codes/mp/mpRegs.html).
 - a. Documentation of a current flow test in compliance with **HBFC Section 508.1 Required water supply** shall be submitted to the Huntington Beach Fire Department on the current HCD MP532 form.
 - b. Documentation of the fire hydrant and water supply system's compliance with **HBFC Section 508.1** shall be submitted to the Huntington Beach Fire Department by a licensed C-16 contractor or licensed Fire Protection Engineer.

Fire Department City Specifications may be obtained at:

Huntington Beach Fire Department Administrative Office
City Hall ~ 2000 Main Street, 5th Floor
Huntington Beach, CA 92648

or through the City's website at www.huntingtonbeachca.gov

If you have any questions, please contact the Fire Prevention Division at 714.536.541

S:\Prevention\1-Development\1-Planning Department - Planning Applications, CUP's\2010 CUP's\Shorecliff Mobile Home CUP letter 02-

25-10 DM.rtf

66427.5. Avoiding economic displacement of nonpurchasing tenants

At the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a rental mobilehome park to resident ownership, the subdivider shall avoid the economic displacement of all nonpurchasing residents in the following manner:

- (a) The subdivider shall offer each existing tenant an option to either purchase his or her condominium or subdivided unit, which is to be created by the conversion of the park to resident ownership, or to continue residency as a tenant.
- (b) The subdivider shall file a report on the impact of the conversion upon residents of the mobilehome park to be converted to resident owned subdivided interest.
- (c) The subdivider shall make a copy of the report available to each resident of the mobilehome park at least 15 days prior to the hearing on the map by the advisory agency or, if there is no advisory agency, by the legislative body.
- (d)
 - (1) The subdivider shall obtain a survey of support of residents of the mobilehome park for the proposed conversion.
 - (2) The survey of support shall be conducted in accordance with an agreement between the subdivider and a resident homeowners' association, if any, that is independent of the subdivider or mobilehome park owner.
 - (3) The survey shall be obtained pursuant to a written ballot.
 - (4) The survey shall be conducted so that each occupied mobilehome space has one vote.
 - (5) The results of the survey shall be submitted to the local agency upon the filing of the tentative or parcel map, to be considered as part of the subdivision map hearing prescribed by subdivision (e).
- (e) The subdivider shall be subject to a hearing by a legislative body or advisory agency, which is authorized by local ordinance to approve, conditionally approve, or disapprove the map. The scope of the hearing shall be limited to the issue of compliance with this section.
- (f) The subdivider shall be required to avoid the economic displacement of all nonpurchasing residents in accordance with the following:
 - (1) As to nonpurchasing residents who are not lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period.
 - (2) As to nonpurchasing residents who are lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period.

66428.1.

- (a) When at least two-thirds of the owners of mobilehomes who are tenants in the mobilehome park sign a petition indicating their intent to purchase the mobilehome park for purposes of converting it to resident ownership, and a field survey is performed, the requirement for a parcel map or a tentative and final map shall be waived unless any of the following conditions exist:
- (1) There are design or improvement requirements necessitated by significant health or safety concerns.
 - (2) The local agency determines that there is an exterior boundary discrepancy that requires recordation of a new parcel or tentative and final map.
 - (3) The existing parcels which exist prior to the proposed conversion were not created by a recorded parcel or final map.
 - (4) The conversion would result in the creation of more condominium units or interests than the number of tenant lots or spaces that exist prior to conversion.
- (b) The petition signed by owners of mobilehomes in a mobilehome park proposed for conversion to resident ownership pursuant to subdivision (a) shall read as follows:

MOBILEHOME PARK PETITION AND DISCLOSURE STATEMENT
SIGNING THIS PETITION INDICATES YOUR SUPPORT FOR
CONVERSION OF THIS MOBILEHOME PARK TO RESIDENT
OWNERSHIP. THIS DISCLOSURE STATEMENT CONCERNS THE
REAL PROPERTY SITUATED IN THE CITY OF ____, COUNTY OF
____, STATE OF CALIFORNIA, DESCRIBED AS _____. THE TOTAL
COST FOR CONVERSION AND PURCHASE OF THE PARK IS \$____ TO
\$____, EXCLUDING FINANCING COSTS. THE TOTAL COST TO YOU
FOR CONVERSION AND PURCHASE OF YOUR OWNERSHIP
INTEREST IS \$____ TO \$____, EXCLUDING FINANCING COSTS. IF
TWO-THIRDS OF THE RESIDENTS IN THIS PARK SIGN THIS
PETITION INDICATING THEIR INTENT TO PURCHASE THE
MOBILEHOME PARK FOR PURPOSES OF CONVERTING IT TO
RESIDENT OWNERSHIP, THEN THE REQUIREMENTS FOR A NEW
PARCEL, OR TENTATIVE AND FINAL SUBDIVISION MAP IN
COMPLIANCE WITH THE SUBDIVISION MAP ACT MUST BE
WAIVED, WITH CERTAIN VERY LIMITED EXCEPTIONS. WAIVING
THESE PROVISIONS OF LAW ELIMINATES NUMEROUS
PROTECTIONS WHICH ARE AVAILABLE TO YOU.

Buyer, unit #, date Petitioner, date

- (c) The local agency shall provide an application for waiver pursuant to this section. After the waiver application is deemed complete pursuant to Section 65943, the local agency shall approve or deny the application within 50 days. The applicant shall have the right to appeal that decision to the governing body of the local agency.
- (d) If a tentative or parcel map is required, the local agency shall not impose any offsite design or improvement requirements unless these are necessary to mitigate an existing health or safety condition. No other dedications, improvements, or in-lieu fees shall be required by the local agency. In no case

shall the mitigation of a health or safety condition have the effect of reducing the number, or changing the location, of existing mobilehome spaces.

- (e) If the local agency imposes requirements on an applicant to mitigate a health or safety condition, the applicant and the local agency shall enter into an unsecured improvement agreement. The local agency shall not require bonds or other security devices pursuant to Chapter 5 (commencing with Section 66499) for the performance of that agreement. The applicant shall have a period of one year from the date the agreement was executed to complete those improvements.
- (f) If the waiver application provided for in this section is denied by the local agency pursuant to the provisions of subdivision (a), the applicant may proceed to convert the mobilehome park to a tenant-owned, condominium ownership interest, but shall file a parcel map or a tentative and final map. The local agency may not require the applicant to file and record a tentative and final map unless the conversion creates five or more parcels shown on the map. The number of condominium units or interests created by the conversion shall not determine whether the filing of a parcel or a tentative and final map shall be required.
- (g) For the purposes of this section, the meaning of "resident ownership" shall be as defined in Section 50781 of the Health and Safety Code.

HK&C

HART, KING & COLDREN

Robert S. Coldren
rcoldren@hkclaw.com

March 3, 2010

Our File Number: 36014.112/4821-5016-6789v.1

VIA OVERNIGHT MAIL AND FACSIMILE

Planning Commission
City of Huntington Beach ("City")
2000 Main Street
Post Office Box 190
Huntington Beach, CA 92648
Attn: Scott Hess, Director of Planning



**RE: Huntington Shorecliffs Mobile Home Park ("Park")
 Application for Tentative Tract Map No. 17296 ("Application")
 Response to Commissioner Questions from Study Session**

Dear Commissioners:

This letter provides supplemental information regarding the above-referenced Application in response to questions raised by the Commissioners at the February 23, 2010 Planning Commission Study Session.

1. This Application is a Renewal of the Prior Application.

This Application is in some respects a mirror image of the prior application for a vesting tentative tract map for conversion of the Shorecliffs Mobile Home Park to resident ownership. The prior application contained a map for 309 rental spaces because of a mistaken belief by the Park Owners that there were 309 Housing and Community Development ("HCD") approved spaces rather than the 304 spaces under the current permit. However, prior application made it clear that the applicant was proposing to subdivide the existing mobilehome park, with no increase in density.

Rather than allow the Park Owners to amend the map to show 304 spaces, the City denied the prior application. The Park Owners do not agree that the prior application was properly denied for that or any other stated reasons, and has filed a protective lawsuit challenging that denial. In the interest of moving forward without litigation, the Park Owners filed the present Application with a corrected map showing 304 spaces. This Application also provides an updated resident survey conducted by the now existing homeowners association and a conversion impact report with additional information requested by the City and residents.

A Professional Law Corporation
200 Sandpointe, Fourth Floor, Santa Ana, California 92707
Ph 714.432.8700 | www.hkclaw.com | Fx 714.546.7457

ATTACHMENT NO. 12.0

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2. Resident Survey Results Were Properly Obtained and Submitted.

As stated above, the resident survey was conducted by the now existing homeowners' association pursuant to an agreement, a copy of which is enclosed herewith. Pursuant to that agreement, the homeowners' association submitted a certification of the survey results and the survey forms to City staff. According to Ethan Edwards and the Subdivision Committee, survey is complete and the survey forms are compliant. The survey forms are available for review at the Planning Department; they were too voluminous to include in the staff report.

3. The Survey Results Cannot be the Basis for Denial of the Application.

The recent Court of Appeal decision in *Sequoia Park Associates v. County of Sonoma* ("Sequoia") makes it clear that the survey results cannot be the basis for denying a tentative tract map application for a conversion to resident ownership. The County of Sonoma ordinance at issue had established minimum survey results criteria for approval of a subdivision.

The Court of Appeal in *Sequoia* rejected the use of survey results as a criteria for denying subdivision: "However commendable or well-intentioned these additions may be, they are improper additions to the exclusive statutory requirements of section 66427.5. The matter of just what constitutes a "bona fide conversion" according to the Ordinance appears to authorize—if not actually invite—a purely subjective inquiry, one which is not truly reduced by reference to the Ordinance's presumptions." (*Sequoia Park Associates v. County of Sonoma* (2009) 176 Cal.App.4th 1270, 1299-1300) Thus, the City cannot establish its own subjective requirements for whether the conversion is appropriate.

Trial court decisions that are contrary to *Sequoia* cannot be relied upon and have no precedential value. The Orange County Courts are bound to follow the *Sequoia* case on this matter. (*Cuccia v. Superior Court* (2007) 153 Cal.App.4th 347, 353-354) The California Supreme Court refused to review the *Sequoia* case, thereby allowing it to stand as binding precedent.

The reason for the resident survey requirement in Government Code Section 66427.5 (d) was to help prevent "sham" conversions where a park owner subdivides to avoid rent control but fails to carry out conversion. (See Govt. Code, § 66427.5 [2002 Amendment Note]; see also *El Dorado Palm Springs, Ltd. v. City of Palm Springs* (2002) 96 Cal.App.4th 1153, 1165)

As the Legislative History for Government Code Section 66427.5 (d) clearly states: "This bill seeks to provide a measure of that support for local agencies to determine whether the conversion is truly intended for resident ownership, or if it is an attempt to preempt a local rent control ordinance. The results of the survey would not affect the duty of the local agency to consider the request to subdivide pursuant to section 66427.5 but merely provide additional information. It is foreseeable that the results of this survey could be used to argue to a court

that the conversion is a sham and that the rent formulas in Section 66427.5 should not be applied. The fact that a majority of the residents do not support the conversion is not however an appropriate means for determining the legitimacy of a conversion. The law is not intended to allow park residents to block a request to subdivide. Instead the law is intended to provide some measure of fiscal protection to nonpurchasing residents." (A.B. 930 Legislative Committee Report)

Given that there is no rent control in the City of Huntington Beach, the resident survey results thus cannot be the basis for denial of this Application.

4. The Conversion Impact Report Was Served on Residents and is Adequate.

The requirements of Government Code Section 66427.5 are expressly designed to protect against economic displacement of those residents who decide not to purchase but to continue renting their spaces at the Park. They are not designed to protect those residents who may determine to purchase based on subsequent information that will become available to the residents during the subsequent process of obtaining a Department of Real Estate White Report.

Thus, the conversion impact report that is required to be filed with the City and disseminated to the residents prior to the City hearing on the tentative map is only required to address the Government Code Section 66427.5 protections against economic displacement of residents. Those protections include the resident right to continue renting space at the Park and the statutory rent control provisions of Government Code Section 66427.5 (f). The conversion impact report filed by the Applicants covers those matters.

While in an effort to avoid confrontation, the Park Owners have modified the prior conversion impact report to accommodate the expressed concerns of the City, the Park Owners continue to assert that the prior form of impact report met all of the legal requirements as well. Similar forms of impact reports have been approved by many other jurisdictions.

The *Sequoia* decision discussed whether cities could determine their own criteria for what a conversion impact could include. The *Sequoia* decision held that all the cities could require is compliance with the express provisions of Government Code Section 66427.5, and nothing else. The City cannot impose its own criteria for a conversion impact report: "We therefore conclude that what is currently subdivision (e) of section 66427.5 continues to have the effect of an express preemption of the power of local authorities to inject other factors when considering an application to convert an existing mobilehome park from a rental to a resident-owner basis." (*Sequoia Park Associates v. County of Sonoma, supra*, 176 Cal.App.4th at 1294-1297)

The Application contains a copy of the conversion impact report and an affidavit of Mike Cirillo stating that the report was served on all residents in compliance with Government Code Section

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66427.5 (c). A copy of that affidavit was not included by staff in the Study Session report, but is enclosed herewith for your reference.

Also, in compliance with the Mobilehome Residency Law (Civ. Code, § 798.56 (g) (1)), notice of the March 9, 2010 Planning Commission hearing was mailed to all residents more than 15 days prior to the hearing on this Application, on February 19, 2010. A copy of that notice and of the affidavit of Tisha Anderson is enclosed herewith for your reference.

5. On-Site and Off-Site Improvements and Plans Cannot Be Required

The City's consideration of the Application boils down to two legal questions, which questions the Applicant has now raised at every one of the nearly ten meetings with City staff and elected officials, including last week's Subdivision Committee meeting. First, does the City agree that Government Code Section 66427.5 provides the exclusive bases for approval or denial of the Application, and if not, what other enabling legislation allows the City to impose which other conditions. Second, does the City agree that its role regarding the "survey" is to determine if it was properly conducted? For whatever reason, the City, to date, has not provided guidance, but has simply acted as though it disagrees with the *Sequoia* decision.

With regard to the first question (we already addressed the second question), the City attempts to impose requirements for a water quality management plan, for an on-site drainage system and for off-site drainage, curb and gutter in the CalTrans right of way along Beach Boulevard. The City claims that it is authorized to impose such requirements based on various statutes, ordinances and permits.

The City's attempt to impose such requirements is preempted by the express exclusion of Government Code Section 66427.5. According to *Sequoia*, under Government Code Section 66427.5, the City cannot impose any requirements not expressly set forth in Section 66427.5. (*Sequoia Park Associates v. County of Sonoma*, *supra*, 176 Cal.App.4th at 1296-1299) Therefore, the Court of Appeal in *Sequoia* rejected any city requirements that the park owner provide for park or off-site infrastructure or address health and safety concerns.

Furthermore, the City cannot impose requirements for on and off-site exactions that do not satisfy the constitutional nexus requirement. Under that nexus requirement, the City must document the connection between the exaction and the projected impact of the development. Not only must the required nexus exist, but specific findings must show that the required dedication is reasonably related to the impact. (See *Dolan v. City of Tigard* (1994) 512 U.S. 374; *Nollan v. California Coastal Comm'n* (1987) 483 U.S. 825)

Here, the City cannot satisfy the nexus test or make such findings. There will be no added impact to City services as a result of the Application for a mere paper conversion. There will be

no new hookups to the City's drainage system and no additional trips along Beach Boulevard resulting from the Application.

The City cannot rely on the "health and safety" language in Government Code Section 66428.1. The Application is not a conversion under Section 66428.1. *Sequoia* makes clear that under Section 66427.5, the City cannot impose additional requirements, even for health and safety issue. The health and safety language in Section 66428.1 is intended to address "significant" or urgent matters of health and safety caused by Park "design and improvements," not matters that have been existing for more than 25 years as a result of City design and improvements such as the City's drain pipe constructed in 1985 that flows onto Park streets or by Cal Trans lack of improvements along the Beach Boulevard frontage.

The City cannot rely on its drainage fee ordinance. City Code Chapter 14.48 pertaining to drainage fees was enacted in 1975, more than five years after the construction of the Park in 1970. The fees may only be charged upon the earlier of the building permit or the subdivision of the property. The building of the Park took place before the City's ordinance. Government Code Section 66483 (a), upon which the City Code Chapter 2.48 is based, requires that the City ordinance be in place more than 30 days before the development of the property in order for drainage fees to apply.¹

Similarly, the City does not provide any information about Cal Trans requirements or contemplated use for its right of way along Beach Boulevard that would justify the City's requirements for curb and gutter, sidewalk and other improvements that the City would require along Beach Boulevard.

Finally, the City has no authority under Regional Board Order No. R8-2009-0030 to impose a requirements for a project Water Quality Management Plan because the Application does not contemplate "new development" or "redevelopment" under that Order. Further, that Order does not impose any required on the City to condition map approval on such a Plan.

¹ Assuming that the fee could be applied, it would have been applied in 1975 at the time of the City ordinance, and the amount would be \$2,800 per acre for zone 8B where the Park was located, for a total amount of \$112,000.



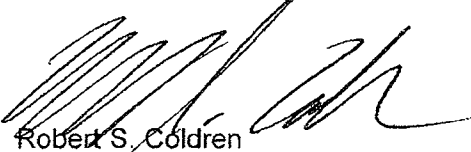
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In conclusion, as we expressed at the Subdivision Committee meeting, the City has no authority to impose any additional requirements on this simple conversion to resident ownership Application. The Park Owners are willing (indeed anxious) to work with the City and will consider reasonable conditions, but they object to the City imposition of any unlawful condition for approval of the Application without their consent.

Thank you.

HART, KING & COLDREN



Robert S. Coldren

Enclosures: Agreement re survey with HOA
Cirillo Affidavit re mailing of conversion impact report
Anderson Affidavit re mailing of notice of Planning Commission hearing

cc:	Jennifer McGrath, City Attorney	(by e-mail only)
	Mike Vigliotta, Assistant City Attorney	(by e-mail only)
	Herb Fauland, Planning Manager	(by e-mail only)
	Steve Bogart, Public Works	(by e-mail only)
	Ethan Edwards, Associate Planner	(by e-mail only)



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bcc John Saunders
Michael Cirillo
Burt Mazelow

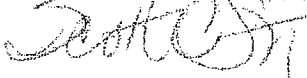
(by e-mail only)
(by e-mail only)
(by e-mail only)

**HUNTINGTON SHORECLIFFS MOBILEHOME PARK
RESIDENT SUPPORT SURVEY AGREEMENT**

Government Code Section 66427.5 (d) requires that the owners of a mobilehome park that seeks to convert the park to resident ownership obtain a survey of resident support to be considered by the local agency with the subdivision application. The survey must be conducted by written ballot pursuant to an agreement between the park owner and the homeowner's association. This constitutes the Agreement between the Park Owners of the Huntington Shorecliffs Mobilehome Park and the Huntington Shorecliffs Homeowners' Association pertaining to a survey of resident support.

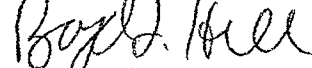
1. Survey Form. The survey ballot form that shall be used for the survey of resident support for the Huntington Shorecliffs Mobilehome Park conversion to resident ownership shall be the attached "Survey re Conversion to Resident Ownership." This survey form shall be revised before distribution to the residents only for the purpose of inserting the date of the "Report on Impact of Conversion Upon Residents," the date by which the survey is to be returned and the address of the Homeowners' Association.
2. Conduct of Survey. The survey shall be conducted by the Homeowners' Association in the following manner. Within ten (10) days following notice from the Park Owners that the "Report on Impact of Conversion Upon Residents" has been sent by the Park Owners to the Residents, the Homeowners' Association Board of Directors will cause to be distributed by hand delivery one survey form to each Park resident space. The Park Owners shall provide the Homeowners' Association Board of Directors with a complete list of the names and addresses of all residents who are entitled to participate in the survey. The survey forms shall provide a date for return of the survey to the Homeowners' Association, which date is seven (7) days from the date of distribution of the survey.
3. Tabulation of Results. On the eighth day following distribution of the survey, the Homeowners' Association Board of Directors shall meet to review the ballots to confirm that they have been signed by residents and to tabulate the results of the completed forms.
4. Submittal of Results. Immediately following the tabulation of the survey results, the Homeowners' Association Board of Directors shall submit the survey results in a letter format to the City of Huntington Beach Planning Director, Scott Hess, with a copy to the Park Owners. If the City makes a request, the Homeowners' Association shall provide the original survey forms and all other written materials pertaining to the survey to the City.

On Behalf of Park Owners:


Print Name: Scott C. Stepp

Date: 11 December 2009

On Behalf of Homeowners' Association


Print Name: Boyd L. Hill

Date: December 11, 2009

**HUNTINGTON SHORECLIFFS MOBILEHOME PARK
SURVEY RE CONVERSION TO RESIDENT OWNERSHIP**

The owners of Huntington Shorecliffs Mobilehome Park intend to file an application with the City of Huntington Beach to subdivide the existing Park into separate lots that exactly correspond to the existing rental spaces. The purpose of the subdivision application is to convert the existing rental mobilehome park to resident ownership. Upon conversion, the existing residents will have the opportunity to purchase the land they are currently leasing. Significant benefits may be available to mobilehome owners who also own the land, including better financing rates, broader financing options and control over common areas.

California law requires the Park owners to give the existing residents the option to either purchase or continue leasing their existing mobilehome rental spaces upon conversion of the Park. Those who continue leasing will obtain certain protections pertaining to post-conversion rent increases. Those protections are explained more fully in the "Report on Impact of Conversion Upon Residents" dated December 14, 2009.

California law also requires the Park owners to obtain a written survey of support of residents of the mobilehome park for the proposed conversion. As required by law, this survey is being conducted by the Park homeowner's association, which is independent of the Park owners. Each occupied mobilehome space is requested to fill out one survey form. The results of the survey will be tabulated by the Board of Directors and submitted to the City of Huntington Beach. These results will be considered at the City's hearing on the subdivision application.

Please indicate below whether or not you support conversion of the Park to a resident-owned mobilehome park. Please fill out and sign this survey form and return it to the Homeowner's Association at [address] by [date]. Only those survey forms that are completed, signed and returned no later than _____, 2009 will be counted.

Be assured that the Board of Directors of you Home Owners Association has reviewed this survey quite carefully. The Board has also reviewed the statutory requirements for this survey. If you state that you do NOT support the subdivision of the Park, NO RETALIATORY ACTION WILL OR MAY BE TAKEN AGAINST YOU BY THE PARK MANAGEMENT.

- ☐ I support conversion of Huntington Shorecliffs Mobile Home Park from a rental mobilehome park to a resident-owned mobilehome park.
- ☐ I do not support conversion of Huntington Shorecliffs Mobile Home Park from a rental mobilehome park to a resident-owned mobilehome park.
- ☐ I decline at this time to either support or not support conversion of Huntington Shorecliffs Mobile Home Park from a rental mobilehome park to a resident-owned mobilehome park.

Space No. _____

(Signature)

Date: _____

(Print Name)

Certification of Mailing of Report on Impact of Subdivision to Residents
(Government Code Sections 66427.5 (c))

I, Mike Cirillo, am the President of Star Mobilehome Park Management, which is the Property Manager for the Huntington Shorecliffs Mobilehome Park.

On behalf of Shorecliff, LP, Huntington BSC Park, LP, JS Stadium, LLC, and Shorecliff Main, LP, the owners of Huntington Shorecliffs Mobilehome Park, I certify that on December 15, 2009, I mailed the attached "Report on Impact of Subdivision to Residents," to all Huntington Shorecliffs Residents as shown on the attached mailing list. I did so by placing true copies of the Report in envelopes addressed to each homeowner and deposited such envelopes in the United States Mail at Santa Ana, California.

I also certify that the attached mailing list is a true and correct list of the names and address of all tenants residing in Huntington Shorecliffs Mobilehome Park.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct of my own knowledge. Executed on December 29, 2009 at Santa Ana, California.


Mike Cirillo

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Dreama Baur
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Donna Edwards
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Space 4
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c/o Deborah Edwards
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Billi Wiessmer
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Bonnie Bennett
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Margaret Bergeron
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Edward Baur
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Diane Davis
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Flora Jordan
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Warren Zarnott
Anne Coulter
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Linda Barnard
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Sam Robinson
Rosemary Robinson
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Lynn Reed
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Joyce Smith
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Certification of Mailing of Notice of Hearing to Residents
(Civil Code Section 798.56 (g) (1))

I, Tisha Anderson, am the Office Manager of Star Mobilehome Park Management, which is the Property Manager for the Huntington Shorecliffs Mobilehome Park.

On behalf of Shorecliff, LP, Huntington BSC Park, LP, JS Stadium, LLC, and Shorecliff Main, LP, the owners of Huntington Shorecliffs Mobilehome Park, I certify that on February 19, 2010, I caused to be mailed the attached "Notice of Hearing" to all Huntington Shorecliffs Residents as shown on the attached mailing list. I did so by causing to be placed true copies of the Notice in envelopes addressed to each homeowner and deposited such envelopes in the United States Mail at Santa Ana, California.

I also certify that the attached mailing list is a true and correct list of the names and address of all tenants residing in Huntington Shorecliffs Mobilehome Park.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct of my own knowledge. Executed on February 24, 2010 at Santa Ana, California.


Tisha Anderson, Office Manager

HK&C

HART, KING & COLDREN

Boyd L. Hill
bhill@hkclaw.com

February 19, 2010

File No. 36014.112/4852-2655-5397v.1

TO: Huntington Shorecliffs Mobilehome Park Residents

Re: **Huntington Shorecliffs Mobilehome Park**
Application for Vesting Tentative Tract Map No. 17296 ("Application")
Notice of March 9, 2010 Planning Commission Hearing on Application

Dear Resident:

Please take notice that Shorecliff, LP, Huntington BSC Park, LP, JS Stadium, LLC and Shorecliff Main, LP, the Owners of the Huntington Shorecliffs Mobilehome Park, will be requesting approval of the above-referenced Application at a hearing before the City of Huntington Beach Planning Commission on March 9, 2010 at 7:00 p.m. at the following location:

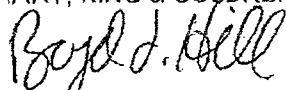
City Council Chambers
City Hall, Lower Level
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

The Application is to subdivide the Huntington Shorecliffs Mobilehome Park into individual lots according to the current configuration of mobilehome spaces as set forth in the current operating permit from the California Department of Housing and Community Development, thereby allowing current Park residents the opportunity to purchase their lots, if they so choose, or to continue leasing.

The impact of the subdivision on Park residents is explained in the "Report on Impact of Conversion Upon Residents," which was submitted to the City with the Application and which was previously mailed to you on December 15, 2009.

Very truly yours,

HART, KING & COLDREN



Boyd L. Hill

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ATTACHMENT NO. 12.22

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Donna Ladow
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Ramona Calderon
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Jerry Stover
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Nellie Crew
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Mary McGowan
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Billy Harbison
Irene Harbison
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Henry Huffman
Florence Huffman
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Vivian Morgan
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Darrell Primrose
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Dorothy Morehouse
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Sharon Hammer
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Arnold Steele
Marlene Steele
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Thelma Keenum
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Joseph Mallard
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Robert Sturrock
Lorie Sturrock
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Alberta La Chapelle
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Robert Sweet
Hila Sweet
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Merv Dahlen
Rosemary Dahlen
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James Greulich
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Kathy Tague
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Vida Sykes
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Shelley Green
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Vicki Guenther
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Ken Bennett
Lana Bennett
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Kathleen Hogan
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Richard Plummer
Inez Plummer
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Buster Kini
Margaret Kini
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Lucille Laurin
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Catherine Gwynn
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Gail Jordan
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Murphy Bank
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Kathy Smith
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Ede Kershaw
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Evelyn Speiser
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Sharon Ewald
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Joe Burki
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Charlaine Argirakis
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Cheryle Hedden
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Steryn Nick Nannes
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Albert Wiessmer
Billi Wiessmer
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Frank O'Brien
Sheila O'Brien
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Robert Atchue
Nancy Atchue
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Carolyn Butts
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Peter Hamel
Nadine Hamel
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Christine Schumacher
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Bonnie Bennett
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Julia Johnson
Joyce Zeller
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Lea Ann Young
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Leida Untoria
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Dee Rey
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James Greulich
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Mike Merritt
Lois Merritt
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Billy Bergeron
Margaret Bergeron
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Frederick Krueger
Nancy Krueger
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Linda Ford
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Deborah Schlack
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David Schlack
Deborah Schlack
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Hoan Dinh Tran
Mai T. Pham
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Estelle Roberts
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Elizabeth Rosenkranz
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Sharan Long
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Jeane Jaffe
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Verna R. Richter
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Joan Van Horn
Patricia Bonner
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Lana Mascorro
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Roy Weber
Karen Weber
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Fran Crandlemire
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Kent Bewley
Karen Bewley
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Nancy Festini
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Florence Harris
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Paul Ragains
Cheryl Ragains
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Sandra Harrington
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Marion Fieweger
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Karen Weidmann
Cheryl Kruly
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Dixie Morgan
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Kathy Kent
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Willi Gross
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Jim Chojokov
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Charles Asendorf
Phyllis Asendorf
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Chuck Potter
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Bill Rasch
Dorene Rasch
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Don Lyons
Sally Lyons
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Petronella Berry
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Jan Bondick
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Florence Erickson
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Louise Green
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Felipe Zapata
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Sue Vanderwall
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Patricia McCabe
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Mark Goodman
Judy Goodman
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Beverly Peterson
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Elizabeth Clark
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Verle Ankeny
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Joan Goodman
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Paul Stanton
Margie Stanton
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Evora McCulloch
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Helen Logins
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Jack Sullivan
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George Nazaroff
Susan Nazaroff
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Celia Bradford
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Jon G Moskewich
Sandra J Moskewich
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Bev Carlson
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George Yates
Donna Yates
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Ron Peach
Vicki Peach
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George Smith
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Betty Reese
Nancy Hall Reese
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Mary Crosby
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Jackie Jacobs
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Jeremy Deex
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Judi Ibarra
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Linda Newman
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Vivian Brown
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John McGrew
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Bob Hall
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Harold Jones
Nanette Jones
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Betty Evans
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Bill Drew
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Carl Ackermann
Jacque Ackermann
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Bob Truitt
Arlene Truitt
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Joan Hudson
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Mike Steele
Sheral Steele
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John Magennis
Susie Magennis
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Jerry Gilday
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Harry Cargill
Victoria Cargill
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Dolores Smith
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Buster Cobb
Jacqueline Cobb
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Nadene Weber
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Donald Prince
Margaret Prince
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Madaline Edwards
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John McClinton
Clarice McClinton
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Ron Bastien
Elinor Bastien
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Norma Starnes
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Barbara Marousek
Terri Marousek
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Larry Schrock
Maureen Schrock
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Robert Lupo
Loretta Lupo
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Marian Beck
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D Ellsworth
J Smith
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Shirley Moss
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Craig Roalf
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Greg Mansfield
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Earl Nelson
Louise Nelson
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Bessie Burke
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Jeremy Deex
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Rosa Dalton
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Katherine Eistad
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Donna Blackman
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Lois Mills
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Gary Hill
Christina Hill
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Joe Kimes
Linda Kimes
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John Strada
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Calvin Dana
Sharon Dana
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Lee Cummings
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Roger Criswell
Mindy Criswell
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Marina Wilson
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Scott Steeper
Susan Hawk
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Diane Lomond
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Darlene Ruttman
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Eric Nelson
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Betsy Noss
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Jeremy Goldman
Judy Goldman
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Sherry Sollazzo
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Shirley Crabtree
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Bob Vliss
Claire Vliss
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Dick Mancinelli
Dorothy Mancinelli
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Dixie Bright
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Robert Vandygrift
Wendelyn Vandygrift
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Therese Young
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Patricia Manrique-Rodriguez
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Martha Danell
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Sam Robinson
Rosemary Robinson
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Charlie Brown
Cynthia Brown
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Harold Lyons
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Delia Sutherland
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Dave Schoenherz
Christy Schoenherz
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Melvin Lewis
Patricia Lewis
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Richard Reed
Lynn Reed
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Alice Butler
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Vince Bove
Esta Bove
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Joe Moore
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Sharon Robison
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Albertina Wiessmer
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Bob Kraehling
Sherry Kraehling
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Doris Coppola
Edward Baur
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Warren Zarnott
Anne Coulter
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Jackie Visco-Gray
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Diane Davis
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John Berens
Darleen Berens
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Jack Williams
Claudia Williams
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Diane Alden
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Vicki Flood
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Linda Barnard
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Ronald Rennegarbe
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Jim Jordan
Flora Jordan
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Marie Burns
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Glenn Smith
Joyce Smith
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Sandi Mulloy
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Albert Terjenian
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Bob Gardner
Doris Gardner
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Jack Morrey
Maureen Morrey
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Crystal Rogers
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Dick Haney
Betty Haney
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Don Luckham
Lori Luckham
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Paul Cannon
Doris Cannon
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Ronald McKennell
Janet McKennell
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Bill Hall
Leva Hall
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Frank Razanskas
Lisa Razanskas
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Judy Adams
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Paul Lee
Soon Park
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Joan Walker
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Bob Gardner
Janice Gardner
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Beverly Richardson
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Dick Porch
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Dottie Hamilton
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Chuck Calderone
Mary Calderone
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Bob Palmer
Margie Palmer
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Deborah G. Douglass
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Antonia (Toni) Reed
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Staff Fieldhouse
Jill Fieldhouse
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Carol Cosione
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Terry Van Orden
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Patsy Davison
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Mei Knutson
Suzanne Knutson
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Karen McGrew
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Frances Stockton
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Mary Rasmussen
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Sandra Athey
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Mike Lytle
Lee Lytle
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Majel Miller
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Gene Moore
Stefanie Moore
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Mary Jo Casino
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Gladi Halpern
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Richard Lippard
Judith Lippard
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Myrrha Eberly
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Flo Bradley
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Madeline Seymour
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Helga Lothert
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Curtis Turrill
Susan Turrill
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George Riley
Sandra Gargano
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Frank Krafka
Joanne Thomas
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Robin Bowers
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